The Impact of Federal Transportation Policy on The State of Delaware: TEA-21 Reauthorization

A POLICY FORUM

held Friday, October 10, 2003, at the UD Wilmington Campus Goodstay Center

SUMMARY REPORT

prepared and edited by Lisa Moreland Lisa Brennan Dená McClurkin

forum sponsored by the Institute for Public Administration College of Human Services, Education & Public Policy University of Delaware

in cooperation with the Delaware Department of Transportation

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Preface

Dr. Jerome R. Lewis, Director Institute for Public Administration University of Delaware

As the director of the Institute for Public Administration (IPA) at the University of Delaware, I am pleased to provide this report on the 2003 Delaware Public Policy Forum, "The Impact of Federal Transportation Policy on the State of Delaware: TEA-21 Reauthorization." In conjunction with the Delaware Department of Transportation, the forum was held on October 10, 2003, at the University of Delaware's Goodstay Center. Members from Delaware state agencies, including the Department of Transportation, Department of Agriculture, and the Office of State Planning Coordination joined representatives from local entities, including the Kent County Department of Planning, New Castle County Department of Land Use, and the City of Wilmington's Department of Public Works. Additional attendees were drawn from the business community and public and nonprofit sectors. For a complete list of attendees, see Appendix A.

I would like to take this opportunity to acknowledge those who contributed to the success of the forum. My colleague Dr. Robert Warren, School of Urban Affairs and Public Policy at the University of Delaware, was principally involved in the planning of this forum. I would like to particularly thank U.S. Senator Tom Carper for his remarks and continued support. I want to acknowledge our speaker, Jeffrey Soule, policy director of the American Planning Association, for his keynote address on "Planning for Choice, Mobility & Livability: The Reauthorization of TEA-21." Greg Cohen (American Highway Users Alliance), Stephen Gardner (Office of U.S. Sen. Tom Carper), Ralph Reeb (Delaware Department of Transportation), and G. Alexander Taft (Association of Metropolitan Planning Organizations) presented unique perspectives on the issues during a panel presentation moderated by state Representative Roger Roy (Transportation Management Association of Delaware). George Schoener, deputy assistant secretary for transportation policy with the U.S. Department of Transportation, concluded the forum remarks. Also, I would like to thank Nelcenia Downer for providing exceptional staff support.

Finally, I wish to recognize the valuable contributions of the individuals involved in organizing the forum and producing this report. IPA staff members Bernard Dworsky and Alexander Settles worked in partnership with Dr. Robert Warren on all aspects of logistics and planning for this timely public policy forum and reviewing the summary report. I would like to thank Edward Freel (Institute for Public Administration) for his instrumental assistance as a liaison with Senator Carper's office. Lisa Moreland wrote the introductory comments and managed the overall effort to produce and edit the forum report. Lisa Brennan, an IPA research assistant, provided logistical support for the forum and co-authored this summary report. Dená McClurkin, an IPA research assistant, coordinated media involvement and collaborated on this report. IPA research assistants William Fasano, Raoul Davis, and Janna Craig provided notes on the forum remarks for use in the summary report. Mark Deshon supported all graphics needs, including registration flyers, event programs, attendee name badges, and the cover of this report.

Introduction

Lisa Moreland, Assistant Policy Scientist Institute for Public Administration University of Delaware

The following is a summary report of the complex issues involved in the reauthorization of federal surface transportation programs that were presented at the 2003 Delaware Public Policy Forum, "The Impact of Federal Transportation Policy on the State of Delaware: TEA-21 Reauthorization." The goals of this forum were to:

- Provide an overview of the impact of the Transportation Equity Act for the 21st Century (TEA-21) in the state of Delaware.
- Explore the ramifications of the Safe, Accountable, Flexible, and Efficient Transportation Equity Act (SAFETEA) offered as a reauthorization to TEA-21.
- Discuss the prospects of passage of a TEA-21 reauthorization bill and provide an update on legislative action.

Intermodal Surface Transportation Efficiency Act

Enacted in 1991, the Intermodal Surface Transportation Efficiency Act (ISTEA) was framed around funding flexibility, safety, intergovernmental partnerships, intermodalism, new technologies, enhanced planning, and environmental stewardship. ISTEA promoted inclusive planning, explored innovative financing, created flexible programs (e.g., Surface Transportation Program, Congestion Mitigation and Air Quality Program) and deployed successful technologies (e.g., Intelligent Transportation Systems).

Transportation Equity Act for the 21st Century

ISTEA was renewed in 1998 as the Transportation Equity Act for the 21st Century (TEA-21). TEA-21 built upon initiatives established by its predecessor. New programs such as Border Infrastructure, Transportation Infrastructure Finance and Innovation, and Access to Jobs were added. According to the U.S. Department of Transportation, TEA-21 "strengthened the nation's transportation system: funding levels and program equity, safety, mobility and system upgrading, new technologies, and protecting the environment."

Safe, Accountable, Flexible, and Efficient Transportation Equity Act

TEA-21 was extended for five months following its expiration on September 30, 2003, without the adoption of a reauthorization bill. The Bush Administration has submitted the Safe, Accountable, Flexible, and Efficient Transportation Equity Act (SAFETEA) to Congress as its plan for the reauthorization of surface transportation programs.

Through SAFETEA, the Administration aims to address issues related to adequate and flexible funding, intermodalism, homeland security, safety, intelligent transportation systems, improved planning, construction and maintenance, accessibility, and public health and environmental protections.

Status

With the five-month extension, the basic program structures of ISTEA and TEA-21 are preserved. However, many critical issues for the future are left unresolved including adequate, equitable, guaranteed funding and financing of the package, figures for which fluctuate widely from \$247 billion by the Bush Administration, \$311 billion by the U.S. Senate, and \$375 billion by the U.S. House of Representatives. The timing of the reauthorization is also uncertain. Lawmakers are grappling with the following concerns:

- Expanding safety initiatives.
- Safeguarding public health.
- Protecting the environment.
- Relieving congestion.
- Increasing attention to technological initiatives.
- Developing multimodal connections.
- Enhancing planning efforts.
- Addressing intergovernmental partnerships.
- Improving public transportation and freight mobility.
- Attending to national infrastructure needs.

Forum & Summary Report

The forum's speakers succeeded in highlighting the multitude of issues surrounding the reauthorization of TEA-21 and its impact on the state. Edited summaries of their presentations are contained in this report. Copies of this report may be downloaded from the Institute for Public Administration's website at: www.ipa.udel.edu/research/publications.

Opening Remarks

The Honorable Thomas R. Carper United States Senate

The following is an edited summary of the comments made by United States Senator Thomas R. Carper during his opening remarks. Senator Carper serves on the Senate Environment and Public Works Committee and Banking, Housing, and Urban Affairs Committee, which have considered issues relating to the reauthorization of the Transportation Equity Act for the 21st Century.

Update

During the period between 1998-2003, TEA-21 allotted \$200.5 billion for federal surface transportation programs through guaranteed funds. The central issue of reauthorization has become the lack of adequate funding. The White House put forth a reauthorization bill entitled the Safe, Accountable, Flexible, and Efficient Transportation Equity Act (SAFETEA), which would provide \$247 billion for highway and transit programs over a span of six years. The underfunding exhibited by the Bush Administration's reauthorization attempt sparked debate, but the sunset date of TEA-21 passed on September 30, 2003, without the adoption of a comprehensive reauthorization bill. Instead, the bill showed the White House in opposition to solutions to increase revenues for the trust funds providing the bulk of funds for surface transportation programs. In particular, the Bush Administration came out against an increase in the gas tax.

A conflict arose between the Republican congressional leadership and the bipartisan leadership of the congressional transportation committees. While the Republican leadership tried to hold to the Administration's demand for "no new taxes," the transportation committees pushed for substantial investment increases in transportation. The reauthorization of the Intermodal Surface Transportation Efficiency Act (ISTEA) as TEA-21 included a funding increase of 40 percent, whereas the approval of SAFETEA as the reauthorization of TEA-21 would only provide a 12 percent funding increase. After the effects of continued inflation, the funding levels of SAFETEA will be less than TEA-21. Delaware would receive an increase from \$119 million to an average of \$129 million over the six years of the bill. With only marginal increases, and in many cases decreases, Delaware and the nation face a looming mobility crisis unprepared.

The House of Representatives submitted a bill authorizing \$375 billion in funding and the Senate submitted a bill authorizing \$311 billion. The congressional levels of funding initiated discussion on how to pay for those levels, extending beyond the deadline for reauthorization. As a buffer for the passage of a comprehensive reauthorization bill, Congress approved a five-month extension to TEA-21. Although the extension gives an opportunity to develop such a plan, five months may not provide sufficient time to eliminate differences of opinion on reauthorization. In addition to the bills offered by Congress, other plans include provisions to increase the gas tax, issue tax credit bonds through the creation of a transportation finance corporation, create special purpose treasury bonds, and use general funds to supplement the trust fund. These plans, provided that they are fiscally responsible, deserve encouragement, but the easiest way to raise money for investment involves increasing the gas tax. Once the complicated

issue of funding is resolved, Congress has numerous other issues on which to agree. While true innovation may be lost, we will move a step in the right direction.

The Future

The nation's skies and roads remain clogged by vehicles and air pollution, threatening the prospects for regional growth. The problems we see today show how the former methods for dealing with transportation do not meet current or future needs. Highways are reaching their practical limits, with Americans relying heavily on automobiles as primary means of transportation and extending the distances they drive. The need for a multimodal transportation development strategy grows more important every day.

The vision for the future of transportation and reauthorization of TEA-21 centers on six goals:

- 1. Fighting congestion and improving passenger and freight transportation.
- 2. Fostering economic development and investments that integrate land use and transportation planning.
- 3. Improving quality of life.
- 4. Supporting existing communities.
- 5. Preserving natural and cultural resources.
- 6. Protecting Delaware's federal transportation funding.

Economic, managerial and technological investments in services and facilities for passenger rail, freight rail, bicycles, and pedestrians will stem mounting road congestion. These investments can provide critical advances in the quality of life for citizens in Delaware and across the nation. The growth promoted through partnerships between government, businesses, and the public brings jobs and money into the region. Potential workers gain choices in transportation, with greater access to jobs and health care. Reductions in air pollution by decreasing the number of cars and trucks on highways improve the overall health of the population. Safety measures diminish the potential for roadway casualties, which linger above 40,000 annually. Coordinated planning aims to save from harm open spaces, historical landmarks, and cultural icons. All of the means of achieving these goals, however, depend on the security of increased resources to the state involved in the changes to formula and allocation in the final reauthorization.

Congestion

The largest transportation problem faced by the nation is congestion. Amid fears and decline in the aviation industry, congestion rises toward crisis. The "2003 Urban Mobility Report" produced by the Texas Transportation Institute cites an increase in the annual amount of time spent in transportation delays. From 1982 to 2001, the amount of time more than tripled to an average of 60 hours annually. The study, which examined transportation mobility in 75 cities of differing sizes, discovered waste of 5.7 billion gallons in fuel.

In order to solve the problem of congestion, funding and programming must expand to meet citizen demand. First, investment levels ought to rise, as the efficiency of current infrastructure improves. To facilitate fewer cars and trucks on roads, expansion of modal options through the Congestion Mitigation and Air Quality Improvement Program (CMAQ) and the Transportation Infrastructure Finance and Innovation Act (TIFIA) require additional resource allocation.

Urban and rural transit programs deserve additional funding, having performed successfully—especially in Delaware, which saw a 21 percent jump in ridership. Transit programs formed by the insights of TIFIA and executed with CMAQ money can save drivers one billion hours once spent in travel, as the Texas Transportation Institute reported for 2001. In the most congested cities, over \$20 billion dollars in both time and fuel were saved.

Delaware transit project options include commuter rail service to Middletown and improved SEPTA service between Newark and Wilmington, both in an effort to ease congestion. The options for Delaware, however, face a major obstacle in the Bush Administration, which classifies the projects as Federal Transit Administration "New Starts" and proposes lowering funding to 50 percent, rather than equaling highway investment.

Amtrak and Rail Infrastructure Development

America's rail system continues to be underdeveloped. Changing the role of the rail system will maximize capacity for each transportation dollar spent, while benefiting the environment and reducing oil dependency. Despite complications, Amtrak has managed to lower costs and increase ridership. A high-speed rail corridor and intercity passenger rail around the country could reduce air and highway congestion. States need the ability to make decisions specific to their communities regarding rail. Long-term federal funding for initiatives to bring rail services equal to highway and aviation can assist states in need of options.

Trucks carrying cargo throughout the country deliver goods to fuel the economy, but clog highways at the same time. Freight rail offers an alternative solution. In the northeast corridor, Norfolk Southern Railway carries approximately one million trucks annually. Without the freight rail option those trucks would travel Delaware roads. Additionally, millions of gallons of fuel can be saved by using rail. Railroads are three times as fuel efficient as trucks. A one-ton load transported by rail from Washington, D.C. to Boston uses only one gallon of diesel fuel. Funding for capital projects for rail coupled with state and federal partnerships can lead to greater transportation flexibility, safety, and health.

Conclusion

While TEA-21 still faces obstacles to reauthorization, we have an opportunity to adapt our approaches and make a significant impact on the development of transportation for the future in Delaware and the nation.

Planning for Choice, Mobility & Livability: The Reauthorization of TEA-21 Jeffrey Soule, Policy Director American Planning Association

The following is an edited summary of comments made by Mr. Soule during his keynote address entitled "Planning for Choice, Mobility & Livability: The Reauthorization of TEA-21." The passage of the Intermodal Surface Transportation Efficiency Act (ISTEA) caused a shift in the way in which we view transportation. ISTEA was focused on the linkage between transportation and land use and the benefits of multimodalism. Environmentalists, planners, transportation advocates, and neighborhood activists formed a movement known as "smart growth." The implementation of ISTEA and the Transportation Equity Act for the 21st Century (TEA-21) altered the planning climate, shifting its focus toward local communities.

Current Issues

The foundation laid by ISTEA and TEA-21 will remain intact during the process of reauthorization, with debates over funding. The sunset date of TEA-21 passed on September 30, 2003, without the adoption of a comprehensive reauthorization bill. The Bush Administration submitted the Safe, Accountable, Flexible, and Efficient Transportation Equity Act (SAFETEA) to Congress earlier in session. SAFETEA represents only one of three reauthorization plans in Congress. The plans differ specifically in the areas of the gas tax, use of bonds, and financing of programs. Instead of passing one of these bills or negotiating for a single reauthorization bill, Congress extended TEA-21 for an additional five months. While the extension continues funding for states at the current levels, it does not allow for future allocation of funds. A major problem of TEA-21 involves the balance and maintenance of funding. Another policy challenge is the maintenance of choice and flexibility within the program. The bias present in the allocation and subsidy process must be acknowledged. Interplay between public and private investment exists as well.

The Importance of Planning

Planning is important for many reasons, but the three most relevant in the context of transportation are to promote innovation, advance choice and sustainability, and ensure access and equity. Planning plays an invaluable role in the development of effective transportation solutions. Planners envision concepts, such as Transit Oriented Design (TOD) and context-sensitive design. The planning community can reduce transit strains and total trips through land use changes. It has the ability to alleviate the externalities associated with transportation through programs like the Congestion Mitigation and Air Quality Improvement Program (CMAQ) and the Urban Corridor Congestion Management Program. In addition, effective planning can ensure access and equity for the disabled, elderly, children, and low-income communities.

Improvements

The planning community offers several recommendations with regard to the reauthorization of TEA-21. First, planning resources should increase across the board. Time has shown that planning activities save resources in the long run. Second, we must view Transportation Enhancements (TE) and the Transportation and Community System Preservation (TCSP) Program as essential to the idea of livability. Third, spending on CMAQ must increase to meet the level of demand. Fourth, transit should be protected and expanded, through better funding

ratios and more funding guarantees. Fifth, incentives for planning and land use should expand. Sixth, an equitable and efficient planning process must be ensured by improved participation and maintaining the transportation improvement programs (TIP). Additionally, we need to focus on multimodal connections, which create a substantial return on modest investments. We ought to examine the notion of local government bonding. This would provide incentives for local government borrowing for transportation investment. The most crucial recommendation of planners, however, requires the increase in the momentum of support for the reauthorization of TEA-21. Planners remain hopeful for a positive vote on the transportation enhancements program, to which Delaware contributed more than \$30 million.

The Future

Crucial to the reauthorization of TEA-21 remains the issue of financing and funding. Opposed by the Bush Administration, the use of bonds has begun to gain momentum. SAFETEA will serve as a starting point for discussion on various funding options. The option of another extension of TEA-21 exists. With another extension, several issues arise. First, another extension would provide no new bill until after the 2004 Presidential election. Second, there will be controversy on flexibility and attempts to write policy by appropriators.

In moving forward, the planning community would like to see transparency shown as a modern method to illustrate the advantages of planning activities. Planners suggest provisions for incentives to attract innovative developers, such as pre-review and endorsement procedures, in order to net the community back together. Further, issues form at the local level, requiring action at that level coupled with TEA-21.

Other Issues

Obesity, the Suburbs, and Mixed-Use Communities

In a preliminary survey, suburban life has been linked with incidence of obesity, providing an opportunity to include a new alliance of people, namely the health community, into the debate on transportation planning and development. The American Planning Association (APA) has given a presentation to the Environmental Studies Institute, contributing to the research on this issue.

Allocation Program for Transportation Enhancements Becoming a Grant Program

Delaware is ahead of the curve with regard to sharing TE funding, whereas two-thirds of states poorly distribute funds. Metropolitan planning organizations represent a growing force in the policy arena and should have better access to resources and the ability to apply directly for funding.

Capacity of APA to Provide Local Government Services

APA has a working group devoted to local government, which has been "lean and mean." The working group meets quarterly, reviewing five local projects each meeting. The voluntary program of review allows developers to be selective in which projects to submit. Since the project is not staff-driven but a cooperative effort with organizations, such as local chambers of commerce, operation remains inexpensive.

Panel Presentation: The Current Status of the Transportation Equity Act for the 21st Century (TEA-21) And How It Will Affect Delaware's Highway/Transit Funding, Environmental Sustainability, and Smart Transportation Growth Options

Moderator: The Honorable Roger Roy Representative, Delaware House of Representatives Executive Director, Transportation Management Association of Delaware

During the forum, Representative Roy moderated a panel presentation on the current status of the Transportation Equity Act for the 21st Century (TEA-21) and how it will affect Delaware's highway/transit funding, environmental sustainability, and smart transportation growth options. The following is an edited summary of his speech.

Current Status

TEA-3 is the third iteration of the transportation vision established by Congress in 1991 with the Intermodal Surface Transportation Efficiency Act (ISTEA) and renewed in 1998 through the Transportation Equity Act for the 21st Century (TEA-21). At the core of the debate is implementation. How will the next reauthorization enable decision-makers to achieve better outcomes through transportation investments? How can ISTEA's provisions for flexibility, local decision-making, long-range planning, fiscally constrained budgeting, and environmental stewardship be strengthened to improve the transportation system?¹

On the eve of its expiration date, President Bush signed a five-month extension of TEA-21. With the President's signature, Public Law 108-88 directs the distribution of funds to the states, transit providers, and others for the five-month period ending February 29, 2004. Public Law 108-88 essentially extends current law programs for five months at somewhat higher funding levels for highways and allocates funding to transit at the level that TEA-21 provided for FY03. The new law effectively postpones TEA-21's expiration date from September 30, 2003, until February 29, 2004, setting up another deadline aimed at forcing Congress to act on new transportation legislation.

The extension provides \$14.4 billion for five months of spending to the states for highway programs, which assumes an annualized level for FY04 at \$33.8 billion, well above last year's level of \$31.6 billion and substantially above the TEA-21 set level of \$27.6 for FY03.

There will be much debate as the extension deadline nears.

CMAQ Controversy: Funding Cleaner Air—More Than \$2 Billion of Unused Potential Congress established this program to help fund regional and local efforts to achieve compliance with national air quality standards set under the Clean Air Act. Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds are largely spent on Transportation Control Measures (TCMs), such as improving public transit service, traffic signalization and other traffic

¹ **Surface Transportation Policy Project (2003).** *About Tea3.* Retrieved December 1, 2003, from http://www.tea3.org/about.asp.

flow improvements, trip reduction and ride-sharing initiatives, and bicycle and pedestrian facilities.

Nationwide, the CMAQ program has helped improve air quality. From 1992/1993 to 2000/2001, the number of person days of unhealthy air quality has declined by 38 percent nationally. However, 97 percent of that improvement has occurred in California. During the same period, California was one of the best performers in obligating CMAQ funds, with an obligation rate of 91.4 percent. Excluding California's gains in air quality, the country saw just a 2.5 percent decline in the number of person days of unhealthy air quality.

The majority of states have failed to take full advantage of the CMAQ program, often to the detriment of local areas, which are now struggling to improve their air quality and reduce public health threats. Delaware has managed to reduce the number of person days of unhealthy air quality by 1 percent. From FY92 to FY01, the state's total CMAQ apportionment was \$58.2 million. From that, the state has only obligated \$47.3 million, leaving an unobligated balance of \$10.9 million. Delaware ranks twenty-eighth in the nation with an obligated rate of 81 percent. In other areas, Delaware has fared better. In the Surface Transportation Program's (STP) safety program, the state's obligation rate was 93 percent. Also, the state ranked fifth in the nation for the lowest percentage of structurally deficient bridges.

There are still many questions to be answered:

- 1) Should TEA-3 require clearer goals and reward performances?
- 2) Should TEA-3 fix accounting loopholes in the current TEA-21 law or should it allow greater flexibility in transferring funding between programs?
- 3) Should TEA-3 remove regulatory barriers that discourage repair, maintenance, and operation of transportation facilities?
- 4) Should TEA-3 direct federal transportation dollars beyond state agencies to local governments?
- 5) Should CMAQ funds go directly to the MPOs in non-attainment areas?

Panelist: Greg Cohen, Senior Vice President for Policy & Government Affairs American Highway Users Alliance

The following is an edited summary of comments made by Mr. Cohen during his presentation on The Transportation Equity Act for the 21st Century (TEA-21). TEA-21 followed the structure established by its predecessor, the Intermodal Surface Transportation Efficiency Act (ISTEA). Nearly 20 percent of money for roads in Delaware has come from federal aid, creating thousands of additional employment opportunities. Specifically, highway and transit have experienced increases above 60 percent. While Delaware has enjoyed many benefits from the provisions of TEA-21, the conditions of surface transportation infrastructure, congestion, and safety continue to decline. The failure of Congress to pass a comprehensive reauthorization bill with adequate funding further threatens the welfare of transportation in the state. The five-month extension of TEA-21 offers a reprieve, but a deadline still looms with little time to come to a viable long-term solution.

Status of the Reauthorization

Much like commuters on the country's highways, the TEA-21 reauthorization bill, dubbed the Safe, Accountable, Fair, and Efficient Transportation Equity Act (SAFETEA), faces gridlock. In the House of Representatives, disagreements between the leadership, Committee on Ways and Means, and the President surround many issues, but particularly taxes. Differing opinions on specific policies and proposed funding methods prevent agreement. The lack of a universally supportable bill plagues the passage of innovative legislation.

Congestion and Safety

Ever growing congestion afflicts the nation's highways, generating traffic jams along heavily traveled corridors. A single solution is not sufficient to eliminate the problem. Instead, a multifaceted plan with provisions to remove bottlenecks, increase ITS, increase situational information for travelers, and create special access lanes must be formed. The lack of highway capacity to meet public demand only further contributes to environmental degradation with increased congestion leading to greater air pollution. Use of the Congestion Mitigation and Air Quality Improvement Program (CMAQ) to invest in projects producing lower air pollution, such as transit initiatives, would eliminate both congestion and air pollution. Congestion of America's highways, especially bottlenecks, reduces safety, contributes to the destruction of the environment, and leads to travel time problems.

The safety of America's roads remains a cause for concern. In the past year, approximately 43,000 people died on American roads, with millions others injured. Although alternate explanations for continued accidents exist, figures show one-third of accidents resulting in death arise from the poor condition of the road. The American Highway Users Alliance advocates more road safety research, with a larger and non-transferable roadway safety program.

The Hold Up

As with most legislation, TEA-21 reauthorization has experienced bureaucratic delay. While centrist advocates push for a comprehensive reauthorization, discussion continues to slow the process. Fiscal conservatives oppose increasing taxes, but liberals want more money for highways. The President has set a funding roadblock with his "no new taxes" agenda. The impending election makes movement on reauthorization less likely. Controversial issues, such as bonds for funding, criteria for evaluating impact on historic and park areas, and the shifting of federal review responsibility to the states lengthen discussion at the cost of passage. Further, smaller and larger states disagree on the apportionment of funding, with larger states requesting a change.

The Future

The future holds the prospect for innovation and improvement in transportation. Research offers opportunities to develop "highways for life" and increase safety on America's highways. By the year 2020, freight in the United States is expected to double; business conducted by the United Parcel Service (UPS) alone should triple. While some would advocate for the removal of freight from roads through increased use of railways, feasibility issues arise, showing a need for a national freight master plan. Rural roads, often overlooked, need greater attention. Representing opportunities for economic development rural roads must, also, deal with increasing congestion as travelers look for alternatives to crowded highways and interstates. As congestion of rural roads grows, their original safety provisions may become inadequate.

Smart Growth

The meaning of "smart growth" changes depending on with whom you are speaking. For those concerned primarily with the economics of growth, smart growth refers to the need to focus spending in developed areas, limiting expenditures on transportation and utilities beyond those areas. Sprawl into undeveloped areas leads to shifts in housing prices and requires greater auto access. The environmentalist calls for similar action, but advocates for the preservation of common resources rather than funding. Increased vehicle use contributes to air pollution and demands more roadways, which decrease open space. Also, smart growth contributes to lifestyle and quality of life issues.

Panelist: Stephen Gardner, Legislative Assistant Office of U.S. Senator Thomas R. Carper

During the panel presentation, Mr. Gardner provided a federal perspective on the Transportation Equity Act for the 21st Century (TEA-21). The following is an edited transcript of his presentation.

TEA-21 Reauthorization

The state of reauthorization of TEA-21 looks somewhat bleak. The principal focus of the reauthorization effort is higher funding levels for the core TEA-21 programs and state allocation. How can revenues for such levels be generated? This is difficult to answer because of macro budgetary problems facing Congress and Republicans' aversion to fuel tax increases. These issues, rather than any significant policy or program changes, have been the main source of contention. Within this context, major innovation in transportation policy is unlikely under this bill. Similar steps forward made from the Intermodal Surface Transportation Efficiency Act (ISTEA) to TEA-21 in transportation policy should not be expected.

The Senate's Committee on Environment and Public Works' focus has been on the TEA-21 reauthorization effort and on issues regarding clean air, the Environment Protection Agency, chemical security, etc. However, broad consensus has been elusive. The Senate's Committee on Banking, Housing and Urban Affairs' relatively unanimous support for increased transit investment is one of the only positive elements of the reauthorization scene, but is stalled until the funding issue is solved. Most likely, TEA-21 will be extended or pushed off until after the election. The main issue facing TEA-21 is getting leaders together to work through the concerns.

Other major questions and areas of action are focused around managing congestion and the expected growth of freight and trade. A key opportunity to manage congestion and increase the capacity of our surface transportation system is to make better use of the country's railroad systems, which already move more than 40 percent of intercity freight. When it comes to sacrifices to fund any reauthorization effort, we cannot afford to siphon money and resources away from other priority areas. Consensus and innovative funding methods are needed. Raising the fuel tax should be considered.

Panelist: Ralph Reeb, Director of Planning Delaware Department of Transportation

In his presentation, Mr. Reeb describes a state perspective on the Transportation Equity Act for the 21st Century (TEA-21). The following comments by Mr. Reeb have been edited.

The Next Flavor of TEA: A Delaware Perspective

The Delaware Department of Transportation (DelDOT) cares about having sufficient resources, improving safety/security, and keeping up with the demand for services.

As for the reauthorization bill, DelDOT would like to see some basic funding structure and continued small state funding minimum guarantees. We would like to see a suballocation of Congestion Mitigation and Air Quality Improvement Program (CMAQ) to metropolitan planning organizations (MPOs) permitted, but not prescribed. Small grants for local enhancements would be helpful.

Also, DelDOT supports exploring new ways to reduce highway fatalities. One possibility is to increase behavior programs sponsored at the local and state levels. In addition, DelDOT would like to see efforts made to improve data collection and utilization. The need exists for greater flexibility to address not just existing problems but potential concerns as well.

At the same time, DelDOT's needs are changing constantly. Highway systems need to better reflect the state's shifting population. DelDOT supports a focus on capacity building in planning. For example, more work should be focused on the I-95 corridor planning studies. Also, there is a need for more cooperation with land use planning. In addition, the Congestion Management System should be included in the planning process.

DelDOT supports an increase in State Planning and Research (SPR) program funding for responding to an aging population.

DelDOT needs a "freight coordinator" function that would involve shared responsibility. DelDOT supports the notion of one plan, dropping the phrase "long-range." Lastly, DelDOT would like to see the eligibility of transportation-related land use planning efforts.

Panelist: G. Alexander Taft, Executive Director Association of Metropolitan Planning Organizations

The following is an edited summary of comments made by Mr. Taft during his presentation entitled "Priorities for TEA-21 Reauthorization." Following the 2000 Census, the number of metropolitan planning organizations (MPOs) increased and now number 385 nationwide, two of which are in Delaware.

Metropolitan Planning

The creation of an additional 46 MPOs increases the money needed to support them. As a result, more MPOs are dividing the pool of available funds. MPOs have experienced decreases in their individual funding, even as demands have increased. Originally, MPOs received a 0.5 percent takedown for planning, which was raised to 1 percent under the Intermodal Surface Transportation Efficiency Act (ISTEA). The reauthorization of the Transportation Equity Act for the 21st Century (TEA-21) presents the opportunity to raise the takedown to 2 percent, ensuring that both old and new MPOs have sufficient funding to meet the needs of the country. Additionally, the Federal Transit Administration's funding through annual appropriations should be changed to a 1.4 percent takedown. Today's MPOs participate in more than transportation planning. They have helped with freight, environmental, and access planning also. In the future, MPOs will have the responsibility for security and emergency planning. Inadequate funding, however, will leave MPOs unable to support our changing needs.

Suballocation to MPOs: Congestion Mitigation and Air Quality Improvement Program
The purpose of the Congestion Mitigation and Air Quality Improvement Program (CMAQ) is to
provide solutions to air pollution for the local areas most affected. Although there is money
allocated, CMAQ funding does not always go where it is most needed, namely to the MPOs.
CMAQ funds are allocated to each state, and then funds are distributed to localities.
Disbursement of funds to localities varies by state, often leaving MPOs unaware of unobligated
funds for use in transportation projects. Allocation of CMAQ funding should be changed,
automatically providing MPOs with funding distributed from the state allotment using the same
formula for state funding.

Surface Transportation Programs

In addition to CMAQ funds, Surface Transportation Program (STP) money would be more effectively used if allocated to all MPOs. Currently, only areas with populations in excess of 200,000 people receive automatic federal funding for STP projects. This constitutes only 142 of 385 MPOs. The remaining MPOs must wait for states to allocate funding from the STP-urban and STP-flex funding to combat local problems, such as traffic congestion. Allocating STP funds directly to all MPOs would provide funding solutions for local problems, while allowing states some discretion.

The Federal Perspective on SAFETEA

George E. Schoener, Deputy Assistant Secretary for Transportation Policy U.S. Department of Transportation

In his presentation, Mr. Schoener provided a federal perspective on the Safe, Accountable, Flexible, and Efficient Transportation Equity Act (SAFETEA). The following is an edited summary of Mr. Schoener's comments.

SAFETEA: Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2003 Funding concerns are what trouble most people about the Safe, Accountable, Flexible, and Efficient Transportation Equity Act (SAFETEA). However, the goals of SAFETEA go beyond funding issues.

President Bush and the Office of Personnel Management do not want new taxes or bonding. This leads to two questions:

- How will the Highway Trust Fund support program levels?
- How much will each state receive?

The numbers are politically negotiated. Safety is a priority. Currently, there is two-year funding for programs and states are responsible for developing strategic plans. The environment is another concern. The goal in this area is project efficiency. Planning should be streamlined and more National Environmental Policy Act (NEPA) coordination is needed. In addition, more plans for metropolitan areas need to be created. Accountability is another major issue. Stronger oversight by the federal government over "mega" projects is essential. It is vital that the loopholes in fuel tax evasion be closed. Lastly, the issue of earmarked discretionary programs must be addressed. SAFETEA is less prescriptive.

Appendix A: Speaker Biographies

The Honorable Thomas R. Carper United States Senate

Thomas R. Carper became Delaware's junior Senator on January 3, 2001, after serving two terms as the state's Governor, five terms as its Congressman in the U.S. House of Representatives, and six years as State Treasurer. With his election to the U.S. Senate, he has been elected to statewide office a record 11 times.

During his more than 25 years of public service, Sen. Carper has sought to build consensus and work across party lines to find practical solutions to real problems. The Washington Post's David Broder calls Carper "a notably effective and nonpartisan leader, admired and trusted on both sides of the aisle." At the start of the 108th Congress, Sen. Carper became a member of the Senate Democratic Leadership. As a member of the four-person "Executive Committee," Senator Carper has emerged as a leading moderate voice in his party, advising the Leader and helping to devise, coordinate and implement strategy for the Democratic caucus.

Promising to "make Delaware a model for the nation," Sen. Carper is building upon successes in the First State to help raise student achievement, protect national passenger rail service, continue to reform the nation's welfare system, implement a national energy policy, promote affordable housing, and return a sense of fiscal responsibility to the budget process. In light of his focus on finding out what works, the centrist Democratic Leadership Council recently named Carper its "Chairman for New Democrat Best Practices."

The first bill he sponsored as a Senator, the "Empowering Parents Act," was passed by both houses of Congress and signed into law by President Bush as part of the Leave No Child Behind Act of 2001. The President also signed into law Sen. Carper's effort with John Corzine of New Jersey to address the growing need for affordable housing for working families. To build on the great success of welfare reform, Sen. Carper joined in the spring of 2002 with former fellow Governor and current Senator Evan Bayh of Indiana in coauthoring the "Work and Family Act." The measure puts work first, strengthens families, equips people with the tools to achieve self-sufficiency and gives states the resources and flexibility to meet more rigorous work requirements in coming years.

Senator Carper enjoys close working relationships with a dozen former governors now serving in the Senate or as members of the Bush Administration. Together they work toward the kind of consensus building that is the hallmark of Carper's career in public service. Senator Carper joins his colleagues on the Banking, Housing and Urban Affairs Committee, the Environment & Public Works Committee and the Government Affairs Committee, as well as the Special Committee on Aging. He is the Ranking Democrat on the EPW's Clean Air Subcommittee.

Born in Beckley, West Virginia on January 23, 1947, Senator Carper grew up in Danville, Virginia. He attended Ohio State University as a Navy ROTC midshipman, graduating in 1968 with a bachelor's degree in economics. He completed five years of service as a Naval flight officer, serving in Southeast Asia during the Vietnam War. He went on to serve another 18 years

in the Naval Reserve and retired with the rank of Captain. He moved to Delaware in 1973, where he earned an MBA at the University of Delaware. He is married to the former Martha Ann Stacy. They reside in Wilmington, Delaware with their two sons Ben and Christopher who are 13 and 15 years old.

Greg Cohen

Vice President for Policy and Governmental Affairs, American Highway Users Alliance

Greg Cohen is Vice President for Policy and Governmental Affairs at the American Highway Users Alliance. With eight years of transportation engineering and public policy experience, Mr. Cohen serves the highway community as its chief lobbyist, advocating federal policies that improve highway safety and reduce congestion. Prior to joining The Highway Users in July 2002, Mr. Cohen served as a professional staff member of the House Transportation and Infrastructure Committee on the Highways and Transit Subcommittee where he was responsible for congressional oversight of the Department of Transportation's implementation of TEA-21. As a licensed Professional Engineer, Mr. Cohen's role on the Committee was to offer technical assistance in the areas of highway planning, engineering, and construction.

Before joining the Committee, he served as a Project Engineer with the Maryland State Highway Administration where he managed capital project planning studies for major highway and intermodal projects. Mr. Cohen has a Bachelors of Science in Civil Engineering and Master of Engineering in Transportation Engineering and Planning from the University of Maryland at College Park.

Mr. Cohen is a member of the National Society of Professional Engineers, American Society of Civil Engineers, Institute of Transportation Engineers and is a fellow of the Eno Transportation Foundation.

Stephen Gardner Legislative Assistant, Office of Senator Thomas R. Carper (D-DE)

Stephen Gardner joined Senator Carper's staff in June of 2002 as a Legislative Assistant for transportation and trade issues, following a similar position with Representative Bob Clement, former Ranking Member of the House Transportation & Infrastructure Committee's Subcommittee on Railroads

Prior to that, Mr. Gardner interned with the Democratic staff of the House Subcommittee on Railroads and worked in various operating and managerial positions for Guilford Rail System's Maine Central Railroad and Virginia's Buckingham Branch Railroad, as well as having interned in transportation management with Amtrak.

Mr. Gardner received a B.A. in Physics with additional thesis work in political economy and transportation from Hampshire College in Amherst, Massachusetts.

Jerome R. Lewis, Ph. D. Director, Institute for Public Administration, University of Delaware

Jerome Lewis is the Director of the University of Delaware's Institute for Public Administration and holds a faculty appointment as an Associate Professor with the School of Urban Affairs and Public Policy and the Department of Political Science and International Relations. He is also a member of the Delaware Faculty Senate.

Dr. Lewis provided leadership in establishing the Institute for Public Administration (IPA) at the University of Delaware, the Delaware Association for Public Administration, University of Delaware Masters Program in Public Administration, Delaware Legislative Fellows Program, and the Delaware Management Fellows Program.

Under his direction, IPA has grown from a staff of three to its current size of 30 staff members and faculty. IPA employs an additional 20 graduate and undergraduate students on an annual basis. IPA links the research and resources of the University of Delaware with the management, information, and leadership needs of schools and local, state, and regional governments in the Delaware Valley. IPA provides assistance to agencies and local governments through direct staff assistance and research projects as well as training programs and policy forums.

Dr. Lewis is currently a member of the American Society for Public Administration and the American Planning Association.

Ralph A. Reeb II Director of Planning, Delaware Department of Transportation

Ralph Reeb currently serves as Director of Planning for the Delaware Department of Transportation (DelDOT). During his tenure at DelDOT, Mr. Reeb has enjoyed a variety of responsibilities including policy analysis and program evaluation, and comprehensive planning with various units of state and local government. His work has included some of the Department's key policy initiatives including strategies for complying with the federal Clean Air Act requirements and responding to the various federal transportation bills.

Mr. Reeb came to DelDOT from the University of Delaware where he worked with local governments in their planning efforts. His work in planning builds on, and is enriched and informed by, the knowledge and experience gained from working in the building and Real Estate development industry for a decade.

Mr. Reeb is a member of the Delaware Chapter of the American Planning Association and the Institute of Transportation Engineers.

Mr. Reeb holds a B.S. in Economics from the University of Maine and an MPA from the University of Delaware.

The Honorable Roger P. Roy Representative, Delaware General Assembly Executive Director, Transportation Management Association of Delaware

Roger Roy is the Executive Director of the Transportation Management Association of Delaware (TMA Delaware). He has served in that position since 1992.

In addition, he has been a member of the Delaware General Assembly since 1976. As a member of the General Assembly, Representative Roy has concentrated many of his efforts in the area of technology, transportation and infrastructure finance.

Rep. Roy has co-chaired the Capital Infrastructure Committee since 1984 and served as both a member and chair of the House Transportation Committee from 1977 to 1996. He also chairs the House Telecommunication Internet and Technology Committee.

Rep. Roy serves as a member of the National Conference of State Legislators' (NCSL) Executive Board, and is the past chair of NCSL's Transportation Committee. He is also past chair of the Eastern Region of the Council of State Governments (CSG) and a member of CSG's Executive Committee

Rep. Roy retired from E. I. DuPont de Nemours in 1992. He received a B.A. in mathematics from the University of Maine.

George S. Schoener

Deputy Assistant Secretary for Transportation Policy, U.S. Department of Transportation

George Schoener currently serves as the Deputy Assistant Secretary for Transportation Policy in the Office of the Secretary of Transportation. As the senior career official in the organization, Mr. Schoener is responsible for providing leadership in the development of national transportation policy, including the Administration's TEA-21 reauthorization legislation.

Prior to this position, Mr. Schoener worked with the Federal Highway Administration in a variety of planning, engineering, and policy positions and was the Director of the Office of Metropolitan Planning and Programs. In this position, Mr. Schoener was responsible for overseeing the development and implementation of transportation plans and programs for over 300 metropolitan areas across the United States.

Mr. Schoener worked with the Senate Environment and Public Works Committee during the development of the Intermodal Surface Transportation Efficiency Act, providing assistance in the development of general funding and metropolitan planning provisions. He also directed the development of the Department's reauthorization proposals for planning and environment, which were included in the Transportation Equity Act for the 21st Century.

He is a graduate of the University of Minnesota with a Bachelor's Degree in Civil Engineering and a graduate of the Pennsylvania State University with a Master's Degree in Civil Engineering.

Jeffrey L. Soule, FAICP Director of Policy, American Planning Association

Jeffrey Soule has held a number of planning and policy positions in government and in the nonprofit sector, including senior planner for the Tug Hill Commission in Watertown, N.Y.; policy coordinator for the U.S. Department of Agriculture; program administrator/director, National Endowment for the Arts Design Program; and director of the Center for Rural Pennsylvania.

In April of 1996, Mr. Soule became policy director of the American Planning Association (APA), where he manages government affairs, public information, and policy for the association's 30,000 members. There he has expanded partnerships with other organizations and improved legislative services to APA's chapters. As part of an initiative with the Chinese government, Mr. Soule produced an innovative urban design approach and plan for a large site in Shanghai's Pudong New Area. He has written and lectured extensively on urban design, rural development, historic preservation, and heritage area planning.

Mr. Soule is currently the Donlan Fellow at the State University of New York, College of Environmental Science at Syracuse, as well as a Fellow of the American Institute of Certified Planners. Mr. Soule received a bachelor's degree in natural science, with honors, from Colgate University and a master's degree in city and regional planning from Harvard University's Graduate School of Design.

G. Alexander Taft Executive Director, Association of Metropolitan Planning Organizations

G. Alexander Taft, a transportation professional with nearly twenty-five years of experience, was appointed Executive Directive of Association of Metropolitan Planning Organizations (AMPO) on February 28, 2000. AMPO represents metropolitan planning organizations throughout the nation responsible for coordination, review, and approval of transportation plans, programs and projects. Previous to his appointment, Mr. Taft was on the board of directors of AMPO and was Executive Director of WILMAPCO, the metropolitan planning organization in Wilmington, Delaware, where he directed the development of an innovative long-range transportation plan and received a national excellence award for an outstanding public participation process.

Mr. Taft previously was Transportation Director for the City of Wilmington, Delaware, where he introduced modern management of downtown parking, improved public transit operations and instituted effective traffic control. He formerly was a Senior Associate with Cambridge Systematics, Inc., of Cambridge, Massachusetts, where he managed a transportation section and directed numerous projects. He began his transportation career in the City of Boston, rising from Traffic Management Assistant to Transportation Advisor to the Mayor. Mr. Taft received a B.S. from Washington & Lee University and a Master's Degree in Urban Affairs from Boston University.

Appendix B: Participant List

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BAKER, Charles

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CARPER, Thomas R. United States Senate

CARROLL, Thomas Landmark Engineering

COHEN, Greg

American Highway Users Alliance

COLE, Darlene A.

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The Institute for Public Administration (IPA) is a public service, education and research center that links the resource capacities of the University of Delaware with the complex public policy and management needs of governments and related nonprofit and private organizations. IPA provides direct staff assistance, research, policy analysis, training, and forums while contributing to the scholarly body of knowledge. Program areas include civic education, conflict resolution, health care policy, land use planning, organizational development, school leadership, state and local management, water resources planning, and women's leadership. IPA supports and enhances the educational experiences of students through the effective integration of applied research, professional development opportunities, and internships. Jerome Lewis is the director of the Institute and can be reached at 302-831-8971.



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