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Meeting Notes 2002-08-08 [Part B]

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Oregon

DEPARTMENT OF
TRANSPORTATION
Region 1
Planning & Development

DATE: July 12, 2002

MEMO

TO: Jeri Bohard

C: Kay Van Sickle
Andy Cotugno
Matt Garrett

123 NW Flanders
Portland, OR 97209

FROM: Dave Williams

SUBJECT: JPACT Comments on Interim Project Eligibility Criteria

I presented at JPACT (7/11/02) the "Interim Project Eligibility and Prioritization Factors" for the 2004-07 STIP. There were two substantive questions.

1. Rex Burkholder (Metro Councilor) asked why the eligibility criterion regarding TSP consistency did not apply to bridge projects as it does to MOD and PRES. He is concerned that our bridge rehabilitation projects seem to ignore other plan objectives such as bike and pedestrian improvements.

My answer was: We do what he is asking to the degree feasible within certain physical and fiscal constraints. Also, the main criterion for PRES and Bridge was that relating to the management systems – we do not have the money to do pavement and bridge rehabilitation solely to add street amenities. Hence, we shall only consider such projects if the physical condition of the roadway warrants it.

That said, I am not sure adding the TSP criterion does great harm to the bridge program – what do you think?

2. Fred Hansen (Tri-Met) asked whether the "narrow" interpretation of Modernization we applied to OTIA remains in effect for the next STIP update. What he is referring to is a presentation Rep. Stark made to JPACT at the outset of the OTIA process in which he emphasized the legislature's desire for roadway lane capacity projects as opposed to bikeway, pedestrian or ITS improvements even though they might meet our standard definition of MOD. Tri-Met introduced some projects which enhanced bus performance into the OTIA process, but they ranked poorly in part due to our "narrow" interpretation.

He believes, and I agreed with him, that the 2004-07 STIP in not OTIA and the standard definition of MOD applies. Further, if JPACT finds his projects worthy (e.g., inclusion in the constrained RTP), then ODOT would consider them for funding. If my reading is wrong, I need to know it and inform Fred.

Not asked at JPACT but still confusing to me are (A) do the criteria apply to MTIP MOD and PRES jobs? and (B) how do the criteria apply to pre STIP prioritization exercises by the ACT's? Both of these are important if we are to fend off late challenges by DLCD as we saw with OTIA. Please give me a call when you can and let's chat about this.

Reduce Congestion on I-5

Proposed arterial would attract trucks off I-5 to a new expressway built over the railroad tracks in the exiting cut:

THE NORTHWEST PASSAGE

What it does

- ◆ Connects major regional industrial areas on **one route**.
- ◆ Creates a fast, direct route to downtown Portland and downtown Vancouver.
- ◆ Removes 25% of the traffic off of I-5 and 15% off of I-205. Also improves I-84.
- ◆ Reduces traffic on many local streets.
- ◆ Connects nine major arterials in **less than six miles**.
- ◆ Located away from I-5, so a single incident will not close all river crossings.
- ◆ Second way off of Swan Island.
- ◆ Second Bridge to Jantzen Beach and third bridge to Vancouver

What it is:

- ◆ Expressway over existing railroad in existing cut through North Portland.
- ◆ Double deck bridges over both the Willamette and Columbia rivers for trains (freight and commuter rail), trucks, cars, bikes and pedestrians.

Unlike construction on I-5, this can be built without interfering with traffic and destroys fewer homes than any other option - most required land is now vacant. But it may not remain vacant for long - **this may be our last chance to solve this problem.**

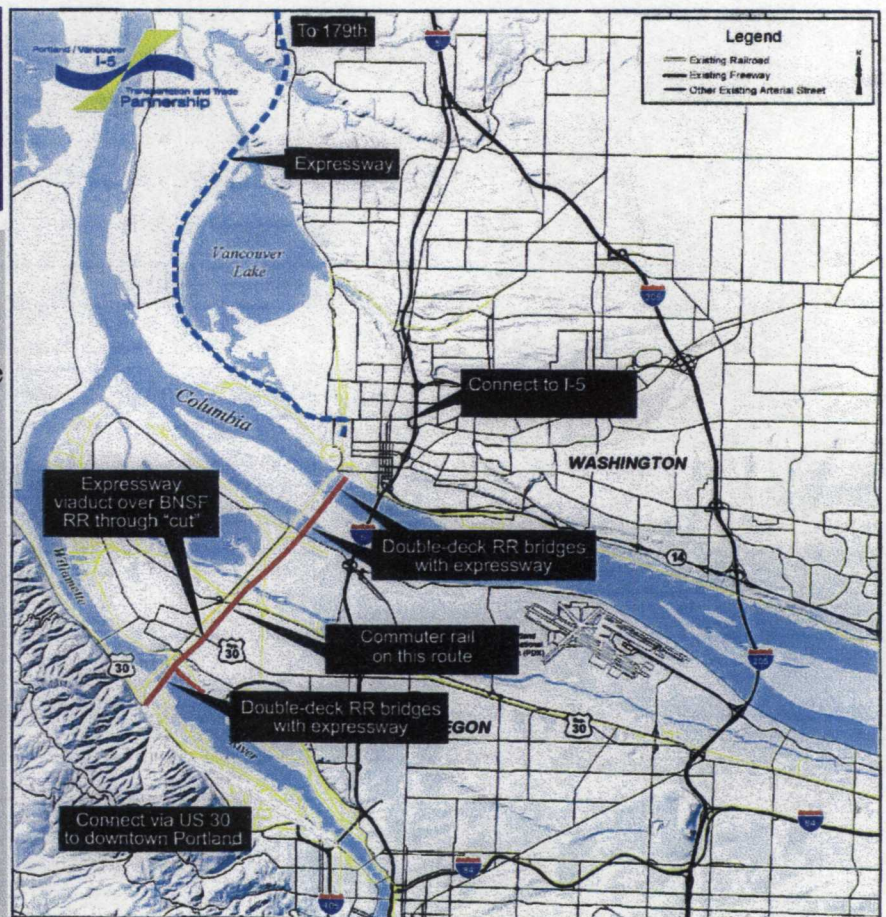


Sharon Nasset's Northwest Passage Proposal

New bridges over the Columbia & Willamette Rivers for:

- Freight rail
- Commuter rail
- Express way
- Vehicle
- Bike
- Pedestrian

Sharon Nasset
Carpenter's Union Hall
2225 N. Lombard Suite 204
Portland, OR 97217
www.SharonNasset.com
Call: (503)289-6288
brochure#4-06.wpd



TMAC
August 16, 2002
7:30 a.m.
Tri-Met Center Street
Conference Room C

AGENDA

- I. ReAuthorization
 - A. Washington D.C. issues
 - Feds.
 - Stakeholders
 - B. JPACT Discussion
 - C. Projects
 - Goals – money totals
 - Timelines

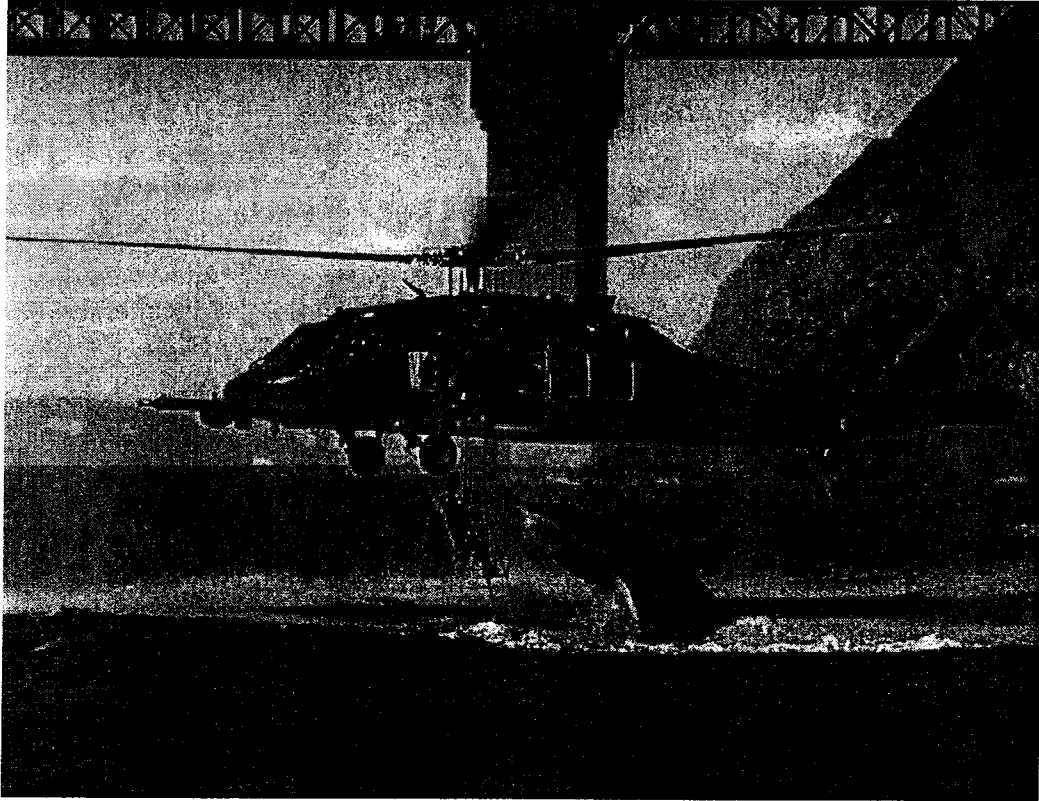
- II. Appropriation Update

- III. Project Updates

AND YOU THINK YOU'RE HAVING A BAD DAY AT WORK !!

Although this looks like a picture taken from a Hollywood movie, it is in fact a real photo, taken near the South African coast during a military exercise by the British Navy.

It has been nominated by National Geographic as "THE photo of the year".



Highway/Transit Reauthorization May Slip Into 2004...

as a result of looming congressional overload and a lack of consensus over how to fund the highway trust fund programs for the next several years. Since Congress began its month-long August recess, contacts with Capitol Hill staffers have found widespread doubt that Congress will complete the reauthorization of the TEA-21 highway and transit programs on schedule before the current six-year authorization expires September 30, 2003.

A significant number of the staffers working on transportation issues in the offices of committees or individual House members share the suspicion—so far it is no more than that—that Congress will find it easier to let the complex reauthorization of the highway and transit programs fall from next year into 2004, the second session of the two-year 108th Congress. However, it is far too early to expect the key players, the committee and subcommittee leaders involved in the programs, to concede, even in private, that a reauthorization can't be done next year. Even among the staffers expecting a delay, it is too early to predict exactly why a "TEA-3" bill would be stalled until 2004.

However, **the factors that could block TEA-21 reauthorization are easy to foresee.** The coming year is already shaping up as a complicated one for House and Senate committees that handle parts of the TEA-21 program. Next year is also the year for reauthorization of the aviation trust fund programs; like the TEA-21 highway and transit authorizations, the **AIR-21 authorizations also expire** at the end of FY 2003. Both reauthorizations will present demands for greatly increased funding, although the Bush administration has been warning interest groups that its reauthorization plans will not call for program increases. Meanwhile, Congress has, despite claims to the contrary, lost the budget discipline of recent years at the same time it has lost the fiscal security blanket provided by the booming economy of the late 1990s. The five-year budget plan of 1997 runs out this year, and the highly partisan House and Senate, each almost evenly divided, aren't coming up with a new multi-year plan. So far, there's not even a deal on a government-wide spending ceiling for the fiscal year that begins seven weeks and a day from today. Finally, homeland security now has a priority claim on any new dollars, as well as the threat of incursions on the funding of existing programs.

Congress won't get any help from the economy. The latest revised economic forecast announced last week by the Congressional Budget Office predicts that further drops in tax receipts will leave the government with a \$157 billion deficit for FY 2002 when the books close at the end of September. That's a negative swing of \$284 billion from the \$127 billion surplus recorded for FY 2000. A CBO official also indicated that the agency's long range forecast, due August 27, will show a projected FY 2003 deficit greater than the White House prediction of \$109 billion.

Economists, looking for hopeful signs, see only mixed indicators and are still concerned about a "double dip" that will deliver another body blow to the economy before a sustained recovery takes hold. Last week's producer price index report, showing a slight drop, erased optimism generated by a slight increase the previous month. And while layoffs are down, so is the temporary hiring and manufacturing overtime that are seen as signs of a comeback. Trucking industry officials, whose sector felt the effects of the current slowdown six months before the rest of the economy, indicate that while business may have bottomed out, there's still no strong indicator of an upward bounce in the making.

The congressional indecision on budget and spending promises a busy September once the legislators return after Labor Day. Only three of the thirteen annual

appropriations bills have passed both houses and are ready for a House-Senate conference to thrash out final versions. The House has yet to hold initial subcommittee markup of six of the thirteen, including the Transportation Appropriations bill. **Chances are excellent that DOT and at least a few other departments will go into the new fiscal year operating under stopgap continuing resolutions** as the legislators struggle to wrap up the final appropriations bills. Several other controversial measures have to be resolved before Congress can adjourn *sine die*, with homeland security legislation, now also taking on partisan overtones, leading the list.

Coloring everything is the November election, with current House and Senate margins so close that both parties see good prospects for maintaining the majority they now have and seizing control of the other body from the opposition. But election pressure also reduces the likelihood that Congress will stay in session beyond the first week of October, even if the present gridlock has not been settled. Most years, no amount of leadership coercion will keep most members from the campaign trail in the last four weeks before Election Day, which this year falls on November 5. But that rule of thumb did not apply to the last Congress, the 106th, which stayed in Washington until three days before the 2000 election and, with several appropriations bills still incomplete, returned the week after the voting to remain in session until December 15. The question is whether the appropriations bills and other must-have legislation will be completed before Election Day, or whether there will have to be a post-election lame duck session.

The jam-up of legislation in the last few weeks before an early October recess has steadily increased the odds of a lame duck session, which the lawmakers generally dislike, but which might be the only way to deal with issues that the nearly even House and Senate memberships can't reach a compromise on. Leaving the toughest matters until after the voters have spoken means that the members might have to suffer criticism on the campaign trail for being a do-nothing Congress, but it opens the door to a lame duck session in which the legislators already know which party will be in charge for the next two years.

Either way, the fall schedule now seems to leave little time for the drafting of comprehensive TEA-21 reauthorization bills by the key House and Senate committees. Leaders had planned to devote the weeks after adjournment to the task. Having highway and transit bills at least roughed out before the new Congress is sworn in next January would also help counter the Bush administration, which seems to be still on course to present its reauthorization package to Congress along with the budget that will go to Capitol Hill in early February. The draft reauthorization proposal is slated to go to review by the White House Office of Management and Budget along with the DOT's FY 2004 budget plan, although the changing cast of characters with a role in the drafting (see below) might slow things down a bit. In any event, having the first bill on the table won't help the administration much if Congress, as it has done before, simply ignores the White House and fashions its own reauthorization package.

A further complication for next year is the unsettled status of **Amtrak**, which Congress granted life-support through this September but which faces demands for sweeping reform as the price of administration and possibly House appropriations backing for any additional federal funds. Amtrak president David Gunn got funding until October 1 by threatening to shut down the railroad. He says it will take \$1.2 billion to keep current service through the next twelve months.

Amtrak's future is not going to be resolved by the current Congress. The Bureau of National Affairs reported last week that House staffers believe there is no chance for passage of either of the bills to reauthorize Amtrak (H.R. 4545) or a high-speed rail network (H.R. 2950). These measures are stalled over objections raised by rail labor insistent on blocking "contracting out" by Amtrak or its successors and on requiring that some construction under the high-speed rail bill be performed by union labor. When he could not forge an agreement on the labor-related provisions of the high-speed rail bill, House Transportation and Infrastructure Committee chairman Don Young (R-AK) halted markup and refused to move the Amtrak reauthorization without the high-speed rail bill to accompany it. In the Senate, Commerce Committee chairman Ernest Hollings (D-SC) may have trouble moving his own Amtrak reauthorization in the face of objections from Sen. John McCain (R-AZ) and

other Amtrak critics looking for a sweeping restructuring of the railroad. Amtrak funding for the year beginning October 1 will devolve to the appropriators, with amounts and conditions to be determined, for one year only, in the FY 2003 Transportation Appropriations bill.

If Amtrak reauthorization is on the table at the same time as an extension of the highway and transit trust fund programs, the door is open to trade-offs, either formal or informal, between the two programs. In previous highway and transit reauthorizations, eleventh-hour cloakroom deals on transit projects have been used to gain concessions on highway formulas. If Amtrak provisions are also in play, it could pave the way for acceptance of what passenger rail boosters have sought, allowing states to use highway trust fund dollars, perhaps from their CMAQ or STP apportionments, for intercity passenger rail. However, if that means the states have to cut back the money available for their highway and transit programs, the proposal gets considerably more controversial.

And even if it seems the easier choice to simply roll over the TEA-21 program for an extra year, hoping for a more favorable legislative climate or for an economic recovery to kick in by then, a rollover could be anything but simple. A "clean" extension would still require a decision on whether to increase funding for FY 2004, along with an interim decision on the budget firewalls and on RABA or some successor provision to assure that trust fund dollars are spent. Also, various interests, anxious for Congress to tackle issues such as truck size and weight, increased flexibility or streamlining of the planning process, may not be willing to wait another year.

In Brief...

Personnel Notes. The Bush administration's nomination of Marion Blakey to replace Jane Garvey as FAA Administrator did not get through the Senate before the start of the August recess. When Garvey ended her five-year term on August 5, the post was filled by agency veteran Monte Belger, who will serve as acting administrator until Blakey's nomination is confirmed. The nomination is not in trouble; Senate staffers said that the White House simply didn't get the paperwork to them in time for action before the break. A hearing was scheduled for Friday, August 2, but the Senate wrapped up its business and recessed, the night before, and the hearing will be rescheduled after Labor Day. The president could name her as a recess appointment, which would expire at the end of the current Congress.

Slots Filled At FHWA. The last few weeks have seen appointments to fill the long-open posts just under FHWA administrator Mary Peters. On August 5, Secretary Mineta announced the appointment of a former U.S. Army Corps of Engineers official, J. Richard Capka, as Deputy Administrator, who was praised by Peters for his work as executive director and CEO of the Massachusetts Turnpike Authority, where he helped develop a revised financing plan for the \$14.5 billion Central Artery Project that FHWA and state authorities had previously been unable to keep from swelling every few months. The FHWA announcement said that Capka's duties will include helping to "shape the management of highway mega-projects across the country," as well as preparing the TEA-21 reauthorization proposal.

Also expected to play a role in crafting the TEA-21 reauthorization is Charles D. (Chip) Nottingham, who was named in June to the long-vacant spot of FHWA Associate Administrator for Policy. Nottingham, a lawyer, comes from the staff of the House Government Reform Committee, but served from 1999 to this year as chief executive officer of the Virginia DOT.

As late arrivals, Nottingham and Capka will encounter a pile of agency staff work on reauthorization issues already done, and others in Secretary Mineta's office and FHWA, including Emil Frankel, Mineta's Assistant Secretary for Policy, and Administrator Peters, already familiar with those issues and the people on various sides of them. In addition, administration planning is constrained by a budget cap that has forced them to warn that no extra money will be available for a Bush reauthorization proposal. The administration team is losing a key member, Roger Nober, whose departure to become chairman of the Surface Transportation Board costs DOT the only one who, as a House T&I Committee staff assistant during the drafting of TEA-21, was there at the creation of the complex budget firewall and RABA provisions of the 1998 law.

Missouri Voters Block Highway Funding Boost. Although highway construction interests are actively supporting a federal gas tax increase to boost federal trust fund resources, no one in Congress seems ready to go along with what is generally seen as a politically unrealistic proposal, and last week's election in Missouri only reinforced the prevailing political wisdom. The plan to raise \$483 million a year, from a half-percent sales tax increase and a 4 cents-per-gallon increase in motor fuel taxes, failed to gain even 30 percent of the more than 924,000 votes cast in the state's August 6 primary balloting on the ballot item listed as Proposition B.

The setback is the latest blow to a statewide program that underwent a major retrenchment after earlier plans proved too expensive. The initiative had the support of legislative leaders, the state's Chamber of Commerce and Gov. Bob Holden (D), but was criticized by the state's Farm Bureau for failing to meet complaints that the state DOT has favored urban interests in allocation of highway funds.

Highway Deaths Remain Plateaued. The release of full-year highway fatality statistics for 2001 continues the pattern of recent years, showing that deaths are resistant to reduction below the 40,000 level despite areas that have shown improvement. Total fatalities, people killed in highway crashes that occurred in 2001, were 42,116. That's up from 41,295 logged for 2000. However, safety officials can point to progress in the face of increased highway traffic, since the fatality rate per 100 million vehicle miles travelled (VMT) dropped slightly, from 1.53 in 2000 to 1.52 last year.

DOT Secretary Mineta, who like his predecessors has declared safety the top priority, said the "loss of more than 42,000 people is unacceptable." The solution might be up to Congress. Highway safety was one area that was left out of the TEA-21 bonanza. In the 1998 legislation, both safety and research funding were kept close to their previous levels, giving them little or none of the large percentage increases approved for the highway and transit programs. The decision was explained at the time as necessary to free up enough money to make revised highway formulas work, a key to getting votes needed for enactment.

One bright spot was a drop in child fatalities. The tally for children under five was down 8.6 percent from 710 to 649. For children aged five to fifteen, there was a similar percentage drop of 8.6, from 2,121 to 1,939. DOT Secretary Norman Mineta attributed the improvement to parents and others "getting the message about the importance of proper restraints for children of all ages." Young drivers, those between sixteen and twenty, were involved in slightly fewer fatal crashes, dropping from 7,671 in 2000 to 7,598 last year.

A second bright spot was a drop in truck-related fatalities. The final report shows a drop of 200 from 5,282 to 5,082. The American Trucking Associations noted that it was the fourth consecutive annual decline in truck-related highway fatalities. Truckers can also point to a new report by the AAA Foundation for Traffic Safety that supports their contention that the trucker's biggest safety problem is the car driver. The report finds that three out of four car-truck accidents result from the actions of car drivers. The report, according to the journal *Traffic World*, cited research by the University of Michigan's Transportation Research Institute of crashes from 1995 to 1998, covering 10,732 fatal car-truck accidents and 35,244 fatal crashes involving cars only.

However, there was little or no progress in some key categories. The rate of alcohol-related fatalities, 0.63 per million VMT, showed no change from 2000, accounting for 17,448 deaths. Pedestrian deaths increased slightly from 4,763 to 4,882, and motorcycle deaths increased for the fourth straight year, to 3,181, the highest number since 1990. Although previous increases had been suspected as a result of an aging population of motorcyclists, it was riders under 40 that showed the highest percentage of increased fatalities.

Further details and statistics are available on the National Highway Traffic Safety Administration website, at www.nhtsa.dot.gov. The 2001 statistics are under "Crash Statistics" through the button for "Motor Vehicle Traffic Crashes."

EPA Allows A One-Year Grace Period Under Conformity Rule. The Environmental Protection Agency has issued a final rule granting urbanized areas that are newly designated as nonattainment areas under the Clean Air Act a one-year period in which to bring TEA-21 transportation projects into conformity with their state's adopted state implementation program (SIP). A pdf version of the Federal Register item can be downloaded at http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2002_register&docid=02-19797-filed.pdf. The rulemaking in effect reinstates an EPA policy of granting a year's additional time for new nonattainment areas. The agency had promulgated a similar rule in 1995, only to have it blocked by a federal court ruling in a suit led by an environmental group, the Sierra Club. Congress, in amending the law in 2000, modified it to allow EPA to issue the same rule again, which the agency has now done, after time for review and comment.

Section 176(c) of the Clean Air Act requires that transportation projects must not cause communities to exceed the act's standards for pollutants. For areas that are judged in nonattainment for one or more clean air standards, proposed transportation projects must be part of approved state transportation plans, which must in turn conform to the state's SIP.

The EPA rule also modifies the schedule for a finding of conformity, which is now within 18 months after EPA has determined that the motor vehicle emissions budgets in a state's SIP are adequate. Previously, a conformity finding was required 18 months after the state's SIP was submitted for approval. The change in effect allows state and local agencies more time to check on conformity by starting the clock only after the emissions budgets of the state's initial SIP are found to be adequate.

US Airways Slides Into Bankruptcy, despite getting agreement by their pilots and flight attendants on \$450 million in wage and benefit concessions. For a while at least, the airline plans no cutbacks in its schedule, and passengers will continue to earn frequent flyer miles. The airline's president explained the move as the "best way to quickly implement a new business plan." But industry analysts noted that the carrier had not been making interest payments on its large debt and faced action by creditors to put it into bankruptcy involuntarily. It's the first major carrier to go into Chapter 11 since the 9/11 terrorist attacks, which hit US Airways especially hard. The airline, burdened with the industry's most expensive labor agreements and older planes, was struggling well before the attack last September, and a key hub, Washington DC's Reagan Washington National, stayed closed for three weeks, much longer than any other major city airport. Airline officials had been trying to trim over \$1.2 billion in costs, but deals have yet to be reached with its machinists and gate employees. Another goal is to shed some of its leases on older, less-efficient aircraft that the airline is no longer using since its post-9/11 cutbacks.

Like the rest of the industry, US Airways has had a hard time luring back the high-profit business traveler. Three small carriers, Sun Country, Vanguard and most recently Midway, are also in bankruptcy proceedings. Among the majors, number two United may be next.

Zero-Base Readings. The three days last September with air travel all but eliminated from U.S. skies gave scientists the chance to measure what they otherwise could not have had, a sky clear of the hundreds or thousands of contrails created by jets. The question was whether these artificial clouds, which act like other clouds in shutting off some of the sun's light and heat from the ground, have a significant effect on the weather. Using measurements from some 4,000 weather stations, scientists led by David Travis of the University of Wisconsin at Whitewater compared their readings for the high and low temperatures of the days of last September's shutdown with comparable dates in the 1997-2000 period. The finding, that the daily range of temperatures was about three degrees greater, with lower lows and higher highs, with the skies clear of aircraft, lends credence to the theory that the collective cloud effect of jet contrails is to insulate the ground.

Amtrak Facing A Step Backward due to its dissatisfaction with the equipment provided for its new high-speed Acela service in the Northeast Corridor, the building block of its effort to steal customers from airlines and move operations into the black. Lateness and breakdowns that have afflicted the Acela equipment were attributed last week by Amtrak to a variety of problems with valves, software, switches and even the doors of the Acela trainsets supplied by by Bombardier and Alstom, a Canadian-French consortium formed to build the high-speed equipment. Amtrak announced it is refusing to accept a

nineteenth train, pointing to modifications that were not made. All of the 18 high-speed Acela trainsets now in service need repairs of modifications. Meanwhile, Amtrak is delaying plans to phase out its former premier service, the Metroliners, which will be called on to take up the slack in the Northeast Corridor by providing service slightly slower than the new Acelas.

Bombardier returned withering fire, charging in a press release that four of Amtrak's complaints—malfunctioning latches on toilet doors, braking system freeze-ups, missing modifications and “vastly overpowered” trains, were each the result of insistence by Amtrak in the face of warnings by Bombardier—that the latch design would tend to lock up or refuse to lock, that Bombardier's preferred braking system was less complex and less prone to problems, that insistence on delivery deadlines left no time for modifications and that the second power car per train that Amtrak demanded was unnecessary. The signs are there that the two will kiss and make up. Bombardier promised to spare no effort to “ensure the successful implementation” of the Acela technology, and Amtrak's spokesman, after lodging complaints, admitted, “From a standpoint of ‘Is the train popular?’ we're very pleased.”

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New Starts Working Group
2099 Pennsylvania Avenue, NW
Suite 100
Washington, DC 2006
(202-828-1896
(202) 955-5564
jbooth@hklaw.com

MEMORANDUM

TO: New Starts Working Group

FR: Jeffrey F. Boothe

DA: August 7, 2002

RE: Recommendation of APTA TEA-21 Task Force

On July 26, 2002, the APTA TEA-21 Task Force met in New York City to reach consensus on a position to recommend to the APTA Legislative Committee and APTA Leadership. The meeting concluded with a final recommendation. I have summarized the key points of that recommendation below.

Framework for APTA Proposal

The recommended position of the APTA TEA-21 Task Force is that APTA's proposal be built around a program framework that assumes 12 percent annual growth in the federal transit program from FY 2004 through FY 2009. It contains the following key elements:

- Make no change to the first \$7.2 billion, which is the FY 2003 guaranteed program level
- Above \$7.2 billion:
 - New bus replacement program for fleets in areas under 1,000,000 in population and rural areas would receive \$100 million in FY 2004 with an annual increase of \$11.16 each succeeding year
 - New high intensity small urbanized area formula program would receive \$35 million in FY 2004 with an increase of \$3.72 million thereafter.

- Rural area added growth of \$35 million in FY 2004 with an increase of \$3.72 million each year thereafter.
- After the three program changes above, the balance of the funds would be distributed as follows:
 - Rail modernization would receive 18/95th of the growth remaining after the above new programs
 - Enhanced new starts funding of 18/95ths of the growth remaining after the above new programs
 - Enhanced bus and bus facility funding of 4/95ths of the growth remaining above new programs
 - The remaining 55/95ths would be divided among the existing programs in proportion to their guaranteed funding levels in FY 2003

The effect of these proposed changes would be a shift from formula to capital. To preserve the formula program, the Task Force agreed to a ratio of 1.15:1 throughout the TEA-21 Reauthorization.

The following table will illustrate the effect of the Task Force recommendation as compared to how the monies would be distributed under current law.

| Program | Current Law | 1.15:1 Ratio |
|---------------------|--------------------|---------------------|
| <i>All Programs</i> | 65,677.20 | 65,677.20 |
| <i>Formula Base</i> | 23,034.00 | 23,034.00 |
| Growth | 11,858.72 | 10,550.20 |
| TOTAL | 34,892.72 | 33,589.20 |
| <i>Capital Base</i> | 18,216.00 | 18,216.00 |
| Growth | 9,378.24 | 10,992.00 |
| TOTAL | 27,594.24 | 29,208.00 |
| <i>New Starts</i> | 7,286.40 | 7,286.40 |
| Growth | 3,751.30 | 4,413.87 |
| TOTAL | 11,037.70 | 11,700.27 |

| | | |
|--------------------|-----------|-----------|
| Rail Modernization | 7,286.40 | 7,286.40 |
| Growth | 3,751.30 | 4,413.87 |
| TOTAL | 11,037.70 | 11,700.27 |
| | | |
| Bus/Bus Facility | 3,643.20 | 3,643.20 |
| Growth | 1,875.65 | 2,164.25 |
| TOTAL | 5,518.85 | 5,807.45 |

Rail Modernization Agreement

The Task Force recommended a change in the distribution of rail modernization funding above the current \$1.214 billion in FY 2003. The change would add an eighth tier to the rail modernization that would distribute monies in a ratio of 60-40 between the older tier one cities and the new start cities with eligible mileage. The following is a description of how the Task Force recommendation would modify the current program funding formula:

- The first \$497 million is distributed to the following cities: Baltimore, Boston, Chicago, Cleveland, New Orleans, New York, Northeastern New Jersey, Philadelphia/Southern New Jersey, Pittsburgh, San Francisco and Southwestern Connecticut.
- The next \$70 million (\$567 million) is apportioned as follows:
 - 50 percent to the areas listed above and 50 percent based on the first tier of the section 5307 program formula
- The next \$5.7 million (\$572.7 million) is apportioned to Pittsburgh, Cleveland and New Orleans and 21.72 percent to the first tier of the section 5307 formula program
- The next \$186.6 million (\$686.3 million) is apportioned to the cities listed above and to the first tier of the section 5307 formula program
- The next \$70 million (\$756.3 million) is apportioned as follows:
 - 65 percent to the cities listed above
 - 35 percent to other urbanized areas that contain fixed guideway systems placed in revenue service 7 years before the year in which funds are made available
- The next \$50 million (\$806.3 million) is apportioned as follows:

- 60 percent to the areas listed above
- 40 percent to other urbanized areas that contain fixed guideway systems placed in revenue service 7 years before the year in which funds are made available
- The next \$357.7 million (\$1.214 billion) would be apportioned as follows:
 - 50 percent to the cities listed above
 - 50 percent to other urbanized areas that contain fixed guideway systems placed in revenue service 7 years before the year in which funds are made available
- All remaining funds are to be apportioned as follows:
 - 60 percent to the areas listed above
 - 40 percent to other urbanized areas that contain fixed guideway systems placed in revenue service 7 years before the year in which funds are made available

Other Issues of Interest

The Task Force agreed to a number of other issues of interest to Working Group members. These issues are discussed below.

Small Starts Criteria and Ratings

The Task Force agreed to create a simplified rating process for small starts projects, for projects seeking \$100 million or less in section 5309 funds, within the new starts program. The small starts process would entail simplified reporting requirements for these projects in order to be eligible for a Full Funding Grant Agreement (FFGA). This would provide two options for these smaller projects, either seek less than \$25 million and be exempt from the ratings process and forego the possibility of an FFGA or meet the simplified reporting requirements for small starts projects and become eligible for a FFGA.

Bus Rapid Transit

For purposes of eligibility of new starts funding, the Task Force agreed that a Bus Rapid Transit project should contain a component that is fixed guideway. This would rely on current law which permits exclusive rights-of-way or fixed guideway design.

Corridor Planning/Major Investment Studies

Section 1308 of TEA-21 required that the MIS process be eliminated as a separate requirement and directed FHWA and FTA promulgate regulations to integrate MIS requirements into the metropolitan planning process and the NEPA process. Draft regulations were released for comment in May 2000, but final regulations were never issued.

During the comment process in May 2000, APTA, AASHTO and AMPO issued a joint statement identifying points of agreement regarding MIS/NEPA integration. These points included:

- Planning and project development activities should be linked and the decisions made in the planning process should be incorporated into the planning process;
- The valuation of multi-modal transportation alternatives should continue to be an integral part of the decision-making process;
- As applicable, the transportation planning process should reach "design concept and scope" decisions as defined by the Clean Air Act Amendments;
- The transportation planning process should involve the active participation and involvement of different modes, environmental resource agencies and local officials; and,
- The overall time from the beginning of the planning process to project implementation should be reduced as called for by Congress.

The Task Force recommends that section 1308 of TEA-21 be rescinded and require multi-modal studies undertaken in a cooperative manner, considering a range of alternatives, as part of the planning process. In addition, the Task Force recommends that statutory language be added that recognizes that planning decisions on design concept and scope, if made in accordance with the principles of NEPA, do not need to be reopened in the project development process unless there is a significant change in the project or local conditions.

Land Use/Transit Linkage

The federal government has recognized that transit-supportive land use Patterns and associated policies are the cornerstone for success for transit investments. Congress and the Bush Administration are urged to give continued special consideration to projects with transit-supportive land use patterns and/or

legally binding policies and must encourage and promote the coordination of land use and transportation planning.

The Task Force recommendation is as follows:

- Continue to emphasize transit-supportive land use planning for major capital investments in transit. Compatible and transit-supportive land use planning must continue to be a major criterion for rating Section 5309 New Starts projects.
- Maintain greater flexibility in the use of transit funds for transit-supportive and development activities. Major Capital Investment funds provide flexibility for using funds for non-vehicle-related activities that are physically and functionally related to a transit project. This allows for pedestrian access, mixed uses in transit facilities, etc. and the creative use of funding to encourage more transit-supportive land uses.
- Extend the regional and statewide planning structure developed under Federal transportation laws to other Federal programs, e.g., HUD block grants, HHS service grants, etc. All should be linked to a regional structure for metropolitan planning so that housing, business development and service delivery can be regionally designed and delivered as part of regional growth strategies. Incentives should be provided for regional cooperation.
- Expand the ability of transportation agencies to preserve corridors for future transportation facilities. At present, FTA will not include corridor preservation in grants unless the specific transit project for the corridor is included in the plan and TIP. Agencies should be able to use funds to preserve land for future transportation development even if they have not yet decided what the specific project will be.

New Starts Criteria and Ratings

The Task Force would recommend that the current categories of "High Recommended," "Recommended" and "Not Recommended" be altered. Section 5308 of TEA-21 modified the New Starts evaluation and ratings process to require FTA to categorize each proposed project as "highly recommended," "recommended" or "not recommended". The "not recommended" creates a "Catch 22" situation. Projects may receive a "not recommended" rating, for example, because they do not currently have sufficient funding or other policy commitments in place. FTA's "not recommended" rating may make it more difficult for the transit agency to obtain

those commitments, since the rating would give the impression that potentially worthy project lacks merit. The requirement that a project be "recommended" before it can be approved for Preliminary Engineering and Final Design is also confusing. Projects that receive a "recommended" or "highly recommended" rating may not, in fact, be ready for a funding recommendation.

APTA's comments to the FTA docket on the new starts rulemaking proposed that the "highly recommended", "recommended" and "not recommended" categories be used only in the context of funding for next fiscal year. It was further proposed that different terminology be used to describe projects that have sufficient merit to be approved for PE or final design but that are not ready for a funding recommendation. FTA responded, in the preamble of the final rule, that the three categories are established by law in TEA-21 and that FTA is not at liberty to change them.

The Task Force is recommending that:

- 49 USC 5309 be amended by deleting the last two sentences from paragraph (e)(6), thereby separating the "highly recommended", "recommended" and "not recommended" from the decision to advance a project into PE and final design.
- 49 USC 5309 paragraph (o)(1)(B) delete the reference to paragraph (e) and to establish four possible project ratings – "highly recommended for funding", "recommended for funding", "not recommended for funding", and "not ready for a funding recommendation".

Talking points regarding Transit. – JPACT discussion 8 August 2002

(To TMAC: these are my talking points for the reauthorization discussion relative to transit at the last JPACT meeting - df)

- **Building the Program**

APTA and other transit supporters, including AASHTO are talking of a doubling of the program to \$14 billion a year.

This would take the present program of \$7.2 b in FFY03 and raise it every year until \$14 B is reached in the last year.

For the New Starts program this means going from a little over \$6b a year and \$3 b in contingent commitment to a total over the next six years of \$11.7b with \$6b or more in contingent commitment.

Issue: There is a problem presented in the way OMB scores spending of Transit. Because a portion of transit's total spending authority is from the federal general fund (in 03 \$1.45b GF and \$5.8 b HTF), OMB scores as spent all the transit money that is appropriated in any year rather than the money actually obligated to contracts. This means that continuing the present method of spending and scoring that the mass transit funds will all be spent down by the middle of the authorization period.

One solution to this problem is to move 30 percent of the mass transit spending authority to the General Fund and 70 percent to remain from the MTA of the HTF. This will work if the same set of guarantees are in place as in TEA-21.

If AASTHO's proposal on transit is followed, then any amount over \$10 B would have to come from the General Fund.,

- **Matching Requirements**

There is interest in the FTA in moving New Starts to a 50/50 local/fed matching ratio. This would not be a surprise to many transit agencies, but would upset plans like the I-205 corridor at 60 percent.

- **Rail Modernization**

There is an effort to designate 60 percent of any new funds that would go into the Rail Mod category; to the eleven oldest properties and 40 percent to the newest ones. This would have the effect of putting more funds at the disposal of New

Starts cities, This idea would create in effect a New Starts tier in addition to the seven existing tiers in the rail mod category. Anything above \$1.124 b would be split in the 60/40 fashion

- **Sub allocation**

The League of Cities and NACO are interested in move sub allocation. Some of the transit properties are signing on to this concept. One of the ideas is simply to move the STP program to a sub allocated program in effect eliminating the 37.5 percent that goes to states

This same concept is advocated by some for the NHS program. It would require that the proportion of NHS miles in a metro area be allocated to the metro area. The idea is to dedicate the funds to a UCP (Urban Congestion Program) and fund it at about \$2b a year. All of it flexible.

- **Small Starts**

This idea would be to authorize smaller rail projects of \$100M with a reduced or simplified process for federal funding. The big issue is whether or not BRT projects are a part of this, or are separate. If they are a part, then rules about the definition BRT would have to be agreed upon.

Feeney, Dick

From: jboothe@hkllaw.com

Sent: Wednesday, August 14, 2002 4:41 PM

To: FeeneyD@tri-met.org; brandmanr@metro.dst.or.us; cotugnoa@metro.dst.or.us

Subject: Suballocation

Dick, Andy and Richard:

I know that the Portland area has taken the position thus far not to support changes in the suballocation of STP, CMAQ and NHS monies. However, I would urge the Portland region to rethink its position. States have received an obligation limit equal to 88% of contract authority, but actual obligations for the different programs have not been consistent with the obligation limit with NHS receiving monies usually above the 88%. In the state of Oregon, CMAQ has received only 79% of the contract authority. FHWA does not have good information for the rest of the programs.

I would raise the following questions:

- Have you analyzed how the state has obligated monies to determine whether the monies are being obligated in CMAQ and STP at the same percentage of contract authority as NHS?
- Have you analyzed how the state has obligated STP within the Portland area compared to the rest of the State to ensure that you are receiving your proportional share?
- Has the Portland region received STP and NHS dollars in proportion to population, lane miles and share of congestion relative to the rest of the state?
- What are the obligation rates of NHS, STP and CMAQ? Are those rates equal across all three programs or does NHS get consistently obligated at or near 100 percent of the authorization while other programs have closer to 80%?

All of the local government groups are pushing for increased suballocation in STP and NHS. The dollars to the state for these programs would not change, but the proposals would reallocate within a state to ensure that metropolitan areas receive a larger percentage. They are also seeking to create an Urban Congestion program either within CMAQ or as a separate program.

There could be an announcement as early as Rail-Volution. Is Portland going to support those efforts or let the state continue to under-obligate CMAQ and STP and over-obligate NHS and other programs they control?

Jeff

from you.

- Will

-----Original Message-----

From: jbooth@hkklaw.com [mailto:jbooth@hkklaw.com]

Sent: Friday, August 09, 2002 2:56 PM

To: Sears, William <FTA>

Subject: New Starts Funding

Will:

This e-mail is being sent pursuant to your visit to a meeting of the New Starts Working Group ("Working Group") on July 24th and discussion of the possibility of funding the new starts program out of the General Fund as a means to extend the funding available for the federal transit program from the Mass Transit Account ("MTA") of the Highway Trust Fund through the reauthorization of TEA-21. We discussed this proposal at great length yesterday and I wanted to apprise you of the Working Group's position. As you know, the Working Group is a coalition of more than fifty transit properties, local governments and private sector companies that are particularly focused on the federal issues impacting public transit and the new starts program.

First of all, thank you for meeting with us on July 24th and sharing your insights regarding the Federal Transit Administration ("FTA") TEA-21 Reauthorization process. We really appreciate your responding to our questions and listening to our concerns.

At that meeting, you indicated that FTA was considering funding the new start program out of the General Fund ("GF"). This idea surfaced as a means to eliminate the "split-funded" nature of the transit program which results in all MTA funds being "scored" by the Office of Management and Budget ("OMB") and the Congressional Budget Office ("CBO") as 100 percent outlayed on the day they are transferred to the GF. This has the effect of exhausting the funds available for transit out of the MTA by 2007. You stated that funding the new starts program from the GF would delay exhausting the MTA until after this reauthorization period because it would change the manner in which monies are "scored" by OMB and CBO. You also indicated that FTA was considering changing the mix of MTA and GF support from the current 80-20 split, respectively, to a 70-30 split which you indicated would also have the effect of extending the availability of the MTA beyond the TEA-21 reauthorization period.

The Working Group wants to go on record as having grave concerns about the FTA proposal to fund the new starts program out of the General Fund. We believe that the funding of the new starts program should be separate from any discussion that seeks to prevent the exhaustion of the MTA during the TEA-21 reauthorization period. We believe that FTA should fully consider other alternatives, such as the 70-30 split you also discussed or changing the "scoring" by OMB and CBO of the monies transferred from the MTA to the GF to more closely align with the actual outlays of those funds. We strongly support any effort to extend the MTA and prevent its exhaustion during the TEA-21 reauthorization period. This is one of our top priorities during the upcoming debate on TEA-21 Reauthorization.

During the meeting yesterday, a number of issues/questions arose regarding the FTA proposal. We believe that these are among the questions that need to be clarified before FTA gives any further consideration to the funding of the new starts program out of the GF.

- Does the Administration, including FTA and DOT, support the continuation of the funding guarantees that were included in TEA-21?
- If yes, would the entire transit program, including a new starts program funded out of the GF, be included within the funding guarantees incorporated in the Administration's TEA-21 Reauthorization proposal?
- What effect would funding the new starts program out of the GF have on maintaining the 40-40-20 funding ratio between the new starts, rail modernization and bus and bus facilities programs that has existed in section 5309 for the last several years?
- We would urge FTA to consider using "contract authority", similar to that of highway projects, for

new start projects subject to full funding grant agreements. Has this received consideration by FTA?

- What effect would funding the new start program from the GF have on continuation of "contingent commitment" authority, which historically has relied implicitly on the availability of funds from the MTA?
- What impact would this proposal have on borrowing against an FFGA during construction to manage the cash flow for the project?
- As a means to address the huge demand for new start projects and the insufficient funding for these projects, is FTA considering other forms of creative or innovative financing beyond TIFIA to assist transit authorities to meet this demand?

Thank you for your consideration of our views and the questions that we raise. We stand poised to meet with you as a follow-up to this e-mail. We welcome an opportunity to have a further discussion with you and others at FTA regarding ensuring the MTA is not exhausted during the TEA-21 Reauthorization period.

Sincerely,

Jeffrey F. Boothe
Chair
New Starts Working Group

Feeney, Dick

From: jboothe@hklaw.com**Sent:** Thursday, August 15, 2002 6:28 AM**To:** mcneila@soundtransit.org; becky_weber@was.bm.com; paul_brown@was.bm.com; bvolk@cumtd.com; andy.robbins@us.transport.bombardier.com; akfl@deainc.com; adwarner@bechtel.com; jbarrybarker@hotmail.com; betsyjackson@theurbanagenda.com; wdby@deainc.com; pnc@clark.net; william_nevel@parsons.com; bjungwirth@valleymetro.org; brigid.hynes-cherin@parsons.com; brooks.peed@kimley-horn.com; caitlin.hughes@ncmail.net; chaney@capitaleedge.com; mayor@ci.livermore.ca.us; connor@pbworld.com; manzoc@mta.net; ceb@deainc.com; chg@foxislands.net; cliff_madison@msn.com; djharris@akronmetro.org; daniel_sheehan@jeffersongr.com; bieging.dave@dorseylaw.com; dwhitstone@hklaw.com; dlipman@wmata.com; diana.mendes@dmjmharris.com; dcarnell@ridetta.org; emerson@pbworld.com; crawforde@hartline.org; egill@thompsoncoburn.com; clarkg@mta.net; g@advocacy.com; gottfeld@erols.com; snowjl@co.clark.nv.us; jxvice@bechtel.com; jbarthen@portauthority.org; jbrowndc@aol.com; copeland@clj.com; jstarke@thompsoncoburn.com; bishop@jeffersongr.com; brooksbj@arlaw.com; JimBarker@LeeSmithPC.com; jduane@oki.org; dezarns@soundtransit.org; Joe_Alexander@parsons.com; jrkeys@itsmarta.com; jal@deainc.com; jmuth@ci.charlotte.nc.us; jod-msmto@erols.com; jose_cisneros@ci.sf.ca.us; Kate_Breen@ci.sf.ca.us; kjones@cat.org; runnionk@tri-met.org; linda.mcdonald@wgint.com; cdw@deainc.com; MarcusFaust@msn.com; mhuffer@kcata.org; maj@deainc.com; mstukes@mdot.state.md.us; mtownes@hrtransit.org; nalcalde@clj.com; nawzad.othman@otak.com; pjordan757@aol.com; patjudge@compuserve.com; patfulton@chesapeake.net; pkalchbrenner@lathropgage.com; pskoutelas@portauthority.org; pbenjamin@wmata.com; peter@peyser.com; mispriscill.ingle@viainfo.net; rctague@vssp.com; amodeirm@stvinc.com; escalanr@ci.farmers-branch.tx.us; FeeneyD@tri-met.org; tartagm@aol.com; rhealy@apta.com; rhellauer@mdot.state.md.us; rpfaff@akronmetro.org; barnesrl@cota.com; ronna_sable_weber@was.bm.com; rosalie.hankus@rtd-denver.com; jzw@escm.com; sean.libberton@dmjmharris.com; dents@hartline.org; steveschl@aol.com; tbulger825@aol.com; tlvain@sso.org; treynold@queencitymetro.com; trutten@reedsmith.com; tomd@sda-inc.com; jthu@deainc.com; TJ03@hou-metro.harris.tx.us; spearitj@stvinc.com; vweissberg@mdot.state.md.us; vince.pellegrin@metc.state.mn.us; whedington@aol.com; bhanka@tfgnet.com**Subject:** FW: New Starts Funding

Dear Working Group:

Attached is Will's response to my e-mail regarding the proposed financing for the new starts program.

Let me know if you have any questions or want to discuss any further follow-up.

Jeff

-----Original Message-----

From: Sears, William (TCC) [mailto:William.Sears@fta.dot.gov]**Sent:** Friday, August 09, 2002 3:48 PM**To:** Boothe, Jeffrey F (WAS - X71896)**Subject:** RE: New Starts Funding

Jeff,

Thank you for getting back to me on this issue. I want to make clear that FTA does not have any "proposal" to fund the "New Starts" program (as authorized under 49 USC 5309(e)) out of the General Fund of the Treasury. Rather, and as I had labored to make clear, I was informing the New Starts Working Group that FTA and DoT are assessing the many options available to rectify the MTA depletion problem. Eliminating split funding for some or all of FTA's programs, including the "New Starts" program, comprise some of these options, as does changing the 80/20 MTA/GF funding split. Nonetheless, I had requested the NSWG respond to any or all of the issues I raised with respect to the MTA depletion problem, and I appreciate hearing back

Feeney, Dick**To:** jboothe@hklaw.com**Subject:** RE: Mea Culpa/Schedule

-----Original Message-----

From: jboothe@hklaw.com [mailto:jboothe@hklaw.com]**Sent:** Thursday, August 15, 2002 5:56 AM

To: mcneila@soundtransit.org; becky_weber@was.bm.com; paul_brown@was.bm.com; bvolk@cumtd.com; andy.robbins@us.transport.bombardier.com; akfl@deainc.com; adwarner@bechtel.com; jbarrybarker@hotmail.com; betsyjackson@theurbanagenda.com; wdby@deainc.com; pnc@clark.net; william_nevel@parsons.com; bjungwirth@valleymetro.org; brigid.hynes-cherin@parsons.com; brooks.peed@kimley-horn.com; caitlin.hughes@ncmail.net; chaney@capitaleedge.com; mayor@ci.livermore.ca.us; connor@pbworld.com; manzoc@mta.net; ceb@deainc.com; chg@foxislands.net; cliff_madison@msn.com; djharris@akronmetro.org; daniel_sheehan@jeffersongr.com; bieging.dave@dorseylaw.com; dwhitestone@hklaw.com; dlipman@wmata.com; diana.mendes@dmjmharris.com; dcarnell@ridetta.org; emerson@pbworld.com; crawforde@hartline.org; egill@thompsoncoburn.com; clarkg@mta.net; g@advocacy.com; gottfeld@erols.com; snowjl@co.clark.nv.us; jxvice@bechtel.com; jbarthen@portauthority.org; jbrown@comcast.net; copeland@clj.com; jstarke@thompsoncoburn.com; bishop@jeffersongr.com; brooks@arlaw.com; JimBarker@LeeSmithPC.com; jduane@oki.org; dezarns@soundtransit.org; Joe_Alexander@parsons.com; jrkeys@itsmarta.com; jal@deainc.com; jmuth@ci.charlotte.nc.us; jod-msmt@erols.com; jose_cisneros@ci.sf.ca.us; Kate_Breen@ci.sf.ca.us; kjones@cat.org; runnionk@tri-met.org; linda.mcdonald@wgint.com; cdw@deainc.com; MarcusFaust@msn.com; mhuffer@kcata.org; maj@deainc.com; mstukes@mdot.state.md.us; mtownes@hrtransit.org; nalcalde@clj.com; nawzad.othman@otak.com; pjordan757@aol.com; patjudge@compuserve.com; patfulton@chesapeake.net; pkalchbrenner@lathropgage.com; pskoutelas@portauthority.org; pbenjamin@wmata.com; peter@peyser.com; mispriscill.ingle@viainfo.net; rcteague@vssp.com; amodeirm@stvinc.com; escalanr@ci.farmers-branch.tx.us; FeeneyD@tri-met.org; tartagm@aol.com; rhealy@apta.com; rhellauer@mdot.state.md.us; rpfaff@akronmetro.org; barnesrl@cota.com; ronna_sable_weber@was.bm.com; rosalie.hankus@rtd-denver.com; jzw@escm.com; sean.libberton@dmjmharris.com; dents@hartline.org; steveschl@aol.com; tbulger825@aol.com; tlovain@sso.org; treynold@queencitymetro.com; trutten@reedsmith.com; tomd@sda-inc.com; jthu@deainc.com; TJ03@hou-metro.harris.tx.us; spearitj@stvinc.com; vweissberg@mdot.state.md.us; vince.pellegrin@metc.state.mn.us; whedington@aol.com; bhanka@tfgnet.com

Subject: Mea Culpa/Schedule

Working Group:

Thank you for your patience as we try to determine why some of you are unable to open documents sent from my firm. I truly apologize. I have tried multiple approaches to sending them, but the same persons are unable to open the documents regardless of whether they are sent from DOCS OPEN, Word or from my hard drive. Thus, until we get this figured out, all future documents will be sent as ".pdf" documents.

As for the schedule, these are the upcoming meeting dates and locations:

- Wednesday, September 4th - Noon at 2099 Pennsylvania Avenue, NW, Washington, DC
- Wednesday, September 18th - Noon at 2099 Pennsylvania Avenue, NW, Washington, DC
- Wednesday, October 2nd, Noon at 2099 Pennsylvania Avenue, NW, Washington, DC (primarily for DC lobbyists)
- Friday, October 4th, 7 am at the Omni Shoreham Hotel, Room TBA (for attendees at Rail-

Volution)(I will supply breakfast)

- Wednesday, October 16th, Noon at 2099 Pennsylvania Avenue, NW, Washington, DC

For those of you who did not attend the last meeting, yesterday was Linda's last day. Thus, e-mails sent to her will bounce back to you. Please communicate through me until the firm hires a new secretary. Linda is retiring to care for her elderly parents.

Thanks once again for your patience and support.

Jeff

Future Appropriations and FFGA Schedule

Max. approp. \$80m/yr TEA-21A & B, \$90m/yr. TEA-21C

| | TEA-21 | | | | | | | TEA-21B | | | | | | | TEA-21C | | | | | | | Project Total |
|---------------------|------------------------------------|------|------|------|------|------|-----|------------------------------------|------|------|------|------|------|------|------------------------------------|------|------|------|------|------|-------|---------------|
| | federal fiscal years (\$ millions) | | | | | | | federal fiscal years (\$ millions) | | | | | | | federal fiscal years (\$ millions) | | | | | | | |
| | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | Sub | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | Sub | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | Sub | |
| Westside MAX | 63 | 22 | 14 | | | | 99 | | | | | | | 0 | | | | | | | 0 | 99 |
| Interstate MAX | | | | 7.5 | 64 | 70 | 142 | 75 | 41 | | | | | 116 | | | | | | | 0 | 257.5 |
| Commuter Rail | | | | | 0.5 | 5 | 5.5 | 5 | 44 | 17.5 | | | | 66.5 | | | | | | | 0 | 72 |
| South Corridor I | | | | | | | 0 | FFG | PE | 62.5 | 80 | 32.5 | | 175 | | | | | | | 0 | 175 |
| Willamette Shore * | | | | | | | 0 | | | | FFG | 47.5 | 42.5 | 90 | | | | | | | 0 | 90 |
| South Corridor II | | | | | | | 0 | | | | | FFG | 37.5 | 37.5 | 90 | 69.5 | | | | | 159.5 | 197 |
| Vancouver | | | | | | | 0 | | | | | FFG | | 0 | | 20.5 | 90 | 90 | 79.5 | | 280 | 280 |
| FY Total | 63 | 22 | 14 | 7.5 | 64.5 | 75 | 246 | 80 | 85 | 80 | 80 | 80 | 80 | 485 | 90 | 90 | 90 | 90 | 79.5 | | 439.5 | 1170.5 |
| Authorization Total | | | | | | | | | | | | | | | | | | | | | | |

Shaded cells indicate year FFGA granted.

Note: At this time, the first construction segment of the South Corridor (South Corridor I) may be either I-205 or Milwaukie LRT. If a dual corridor were selected as the Locally Preferred Alternative (LPA), then South Corridor II would refer to the second construction segment.

* W.S.L. includes PSU - Gibbs and tram

| | PSU-Gibbs (tram) | Gibbs-LO |
|----------------|------------------|----------|
| Total Cost | \$60M | \$125 |
| Gap | \$20M | \$75 |
| Federal Source | | |
| OHSU | | |
| Local Sources | | |
| Consortium | | \$50 |
| MTIP | | |
| 06-07 | | |
| 08-09 | | |
| C.O.P. | \$40 | |
| LID | | |
| TIF | | |
| GF | | |

Baskoro, Susanjoy

From: jbooth@hklaw.com
Sent: Thursday, August 08, 2002 9:01 AM
To: FeeneyD@tri-met.org; BaskoroS@tri-met.org
Cc: brandmanr@metro.dst.or.us
Subject: Attached Files

Dick:

Attached are charts of the new start project earmarks and the Oregon highway/transit earmarks. If I have time today, I will try and get you a summary of the APTA TEA-21 Task Force recommendations. There will not be a Legislative Update because Congress is not in session. However, I will try and provide a summary of the discussions with House T & I and Senate EPW regarding the League of Cities and NACo "suballocation" proposal for you tomorrow.

Jeff

→ New Start
→ Oregon Hwy/Transit

FY 2003 New Start Project Earmarks

| PROJECT (\$=Millions) | FY '02 | Admin Request | Senate | House | Conference |
|---------------------------------------|--------|------------------|--------|-------|------------|
| Alaska or Hawaii-Ferry | 10.3 | | 10.3 | | |
| Albuquerque LRT | 1.0 | | | | |
| Atlanta-North Line | 25.0 | 16.1 | 16.0 | | |
| Anderson, SC Trolley | | | 6.0 | | |
| Baltimore Central LRT Double Track | 13.0 | 24.3 | 24.0 | | |
| Baltimore Rail Transit | 1.5 | | | | |
| Birmingham | 2.0 | | 3.0 | | |
| Boston-North Shore | | | 1.0 | | |
| Boston Urban Ring | 0.50 | | | | |
| Bridgeport, CT Intermodal Project | | | 8.0 | | |
| Burlington, Vt Commuter Rail | | | 2.0 | | |
| Charlotte, NC-North/South Corridor | 7.0 | | 10.0 | | |
| Chicago CTA-Douglas Branch | 32.8 | 55.0 | 55.0 | | |
| Chicago-METRA Commuter Rail | 55.0 | 52.0 | 52.0 | | |
| Chicago-Ravenswood | 3.0 | | 4.0 | | |
| Clark County, NV-Fixed Guideway | | | 10.0 | | |
| Cleveland Euclid Corridor | 6.0 | | 6.0 | | |
| Columbus,OH North Corridor | 0.5 | | | | |
| Dallas-North Central Light Rail | 70.0 | 70.0 | 60.0 | | |
| Denver, CO Southwest Corridor | 0.2 | | | | |
| Denver, CO-Southeast | 55.0 | 70.0 | 70.0 | | |
| Des Moines Bus Feasibility | 0.2 | | | | |
| Dubuque, IA LRT Feasibility | 0.2 | | | | |
| Dulles Corridor | 25.0 | | | | |
| Ft. Lauderdale-Tri-County Commuter | 27.0 | 39.7 | 25.0 | | |
| Ft. Worth Trinity Railway Express | 2.0 | | | | |
| Grand Rapids Corridor Project | 0.8 | | | | |
| Honolulu MIS | 12.0 | | | | |
| Houston-Advanced Transit Program | 10.0 | | 23.4 | | |
| Indianapolis Northeast Downtown | 2.5 | | | | |
| Johnson County, KS-I-35 Commuter | 1.5 | | 0.4 | | |
| Kenosha-Racine-Milwaukee CR | 2.0 | | | | |
| Largo, MD-WMATA Extension | 55.5 | 60.0 | 60.0 | | |
| Little Rock | 2.0 | | 4.0 | | |
| Long Island Railroad East Side Access | 14.7 | | 15.0 | | |
| Los Angeles Mid-City and East Side | 7.5 | 35.0 | 10.0 | | |
| Los Angeles North Hollywood Ext. | 9.3 | 40.5 | 40.0 | | |
| Lowell, MA-Nashua, NH CR | 3.0 | | 3.0 | | |
| Marco Vision Pioneer, IA LRT | 0.3 | | | | |
| MARC Commuter Rail | 12.0 | | 14.0 | | |
| Memphis, TN-Medical Center Rail Ext. | 19.2 | | 10.0 | | |
| Miami-Dade -South Bus | 5.0 | | | | |
| Minneapolis North Star Commuter Rail | 10.0 | | | | |
| Minneapolis-Hiawatha LRT | 50.0 | 60.0 | 60.0 | | |
| Nashville, TN-Commuter Rail | 4.0 | | 4.0 | | |
| New Jersey-Hudson-Bergen | | 19.2 | 19.0 | | |
| New Jersey-Hudson Bergen | 141.0 | 50.0 | 40.0 | | |
| New Orleans-Canal Street Corridor | 15.0 | | 30.0 | | |
| New Orleans-Desire Project | 1.2 | | | | |
| New York - 2nd Avenue | 2.0 | | 15.0 | | |
| Newark Rail Link MOS-1 Project | 20.0 | 60.0 | 60.0 | | |
| Northern Indiana South Shore Commuter | 2.5 | | | | |
| Oceanside-Escondido, CA Light Rail | 6.5 | 20.0 | 20.0 | | |
| Ogden, UT Commuter Rail | | | 6.0 | | |
| Philadelphia-Reading SEPTA Schuylkill | 9.0 | | 15.0 | | |

| | | | | |
|---|---------------|---------------|----------------|-------------|
| Phoenix Metropolitan Area Transit | 10.0 | | | |
| Pittsburgh North Shore | 8.0 | | 4.0 | |
| Pittsburgh Stage II LRT | 18.0 | 26.3 | 25.6 | |
| Portland, OR-Interstate MAX | 64.0 | 70.0 | 70.0 | |
| Port McKenzie, AK Ferry | | | 5.0 | |
| Puget Sound-RTA Sounder | 20.0 | | 30.0 | |
| Raleigh- Durham/Chapel Hill Triangle | 9.0 | | 15.0 | |
| Rhode Island Commuter Rail Facility | 5.0 | | 4.5 | |
| Sacramento South Corridor LRT | 0.3 | | | |
| Salt Lake City-Medical Center LRT | | | 12.0 | |
| Salt Lake City-South | | 0.70 | | |
| Salt Lake City-University LRT | 17.0 | 68.8 | 69.0 | |
| San Diego-Mid Coast Corridor | 1.0 | | | |
| San Diego-Mission Valley East LRT | 60.0 | 65.0 | 65.0 | |
| San Francisco BART Extension | 75.7 | 100.0 | 100.0 | |
| San Jose-Tasman West Light Rail | 0.1 | | | |
| San Juan Tren Urbano | 40.0 | 59.7 | 45.0 | |
| Sante Fe-Eldorado, NM | | | 2.0 | |
| Scranton, PA to NYC | | | 3.0 | |
| South Boston Piers Transitway | 10.6 | 0.70 | | |
| St. Louis-St. Clair MetroLink | 28.0 | 3.4 | 3.0 | |
| Stamford, CT Fixed Guideway | 5.0 | | 15.0 | |
| Stockton-Altamont CR | 3.0 | | 2.0 | |
| Vermont Transit Authority | | | 2.0 | |
| Virginia Railway Express-Woodbridge | 3.0 | | 4.5 | |
| Virginia Railway Express-Dulles Airport | | | 25.0 | |
| Wasila, AK Alternate Route | 2.5 | | | |
| Wilmington, DE-Transit Connector | | | 4.0 | |
| Wilsonville to Washington County | 0.5 | | 5.0 | |
| Yosemite, CA Area RTS | 0.4 | | | |
| Other Project Funding | | 31.0 | | |
| Section 5327 Set-Aside | | 12.1 | | |
| Total | 1137.9 | 1214.0 | 1,314.4 | 0.00 |

Highway/Transit Earmarks for State of Oregon FY 2003 Transportation Appropriations

| | House | Senate | Conf. |
|---|-------|--------------|-------|
| <i>Bridge Replacement and Rehabilitation</i> | | | |
| Sauvie Island Bridge Replacement | | \$3,000,000 | |
| TOTAL | | \$3,000,000 | |
| <i>National Corridor Planning</i> | | | |
| Interstate 5 Trade Corridor | | \$4,000,000 | |
| Polk County Highway 22 Project | | \$2,000,000 | |
| TOTAL | | \$6,000,000 | |
| <i>Federal Lands Highways</i> | | | |
| <i>Surface Transportation Projects</i> | | | |
| <i>Trans. and Community and Sys, Pres.</i> | | | |
| Eugene Federal Courthouse Area Dev. | | \$1,000,000 | |
| Newberg-Dundee Trans. Improvement | | \$775,000 | |
| Redmond – 19 th St./Rimrock Way | | \$100,000 | |
| TOTAL | | \$1,875,000 | |
| <i>Interstate Maintenance</i> | | | |
| <i>Rail-Highway Crossing Hazard Elim.</i> | | | |
| Pacific NW High-Speed Rail Corridor | | \$1,500,000 | |
| TOTAL | | \$1,500,000 | |
| <i>Bus and Bus Facilities</i> | | | |
| Lane Transit District Bus Facility | | \$6,000,000 | |
| Salem Area Mass Transit Bus Facility | | \$2,000,000 | |
| Tri-Met Buses | | \$3,000,000 | |
| TOTAL | | \$11,000,000 | |
| <i>New Starts Program</i> | | | |
| Interstate MAX LRT | | \$70,000,000 | |
| Washington County Commuter Rail | | \$5,000,000 | |
| TOTAL | | \$75,000,000 | |
| <i>Job Access and Reverse Commute</i> | | | |
| Jackson-Josephine County | | \$325,000 | |
| Oregon Ways to Work Program | | \$500,000 | |
| Portland/Tri-Met | | \$1,500,000 | |
| TOTAL | | \$2,325,000 | |

total \$103,725 m

Baskoro, Susanjoy

From: jbooth@hklaw.com

Sent: Thursday, August 08, 2002 3:54 PM

To: lynneg@c-tran.org; gails@c-tran.org; FeeneyD@tri-met.org; BaskoroS@tri-met.org

Subject: #1110261 v1 - FY 03 Washington Highway/Transit

Lynne:

Attached is the chart of Washington highway and transit earmarks that appeared in the Senate version of the FY 03 Transportation Appropriations bill.

Jeff

Washington Hwy/Transit

\$ 147.35m total

Highway/Transit Earmarks for State of Washington FY 2003 Transportation Appropriations

| | House | Senate | Conf. |
|--|-------|--------------|-------|
| <i>Bridge Replacement and Rehabilitation</i> | | | |
| Lexington Bridge, Cowlitz | | \$7,500,000 | |
| Monroe St. Bridge Rehab., Spokane | | \$2,500,000 | |
| TOTAL | | \$10,000,000 | |
| <i>Federal Lands Highways</i> | | | |
| BIA Route 13/Route 1 Project | | \$5,400,000 | |
| Cattle Point Road | | \$350,000 | |
| SR-164 Muckleshoots | | \$420,000 | |
| Yakima Signal Peak Road | | \$4,150,000 | |
| TOTAL | | \$10,320,000 | |
| <i>National Corridor Planning</i> | | | |
| FAST Corridor Tacoma & Everett | | \$10,000,000 | |
| Interstate 5/SR -524 Widening | | \$2,000,000 | |
| Mill Plain Boulevard at I- 205 | | \$3,500,000 | |
| US-395 North Spokane Corridor | | \$5,000,000 | |
| Yakima Grade Separation Projects | | \$3,500,000 | |
| TOTAL | | \$24,000,000 | |
| <i>Surface Transportation Projects</i> | | | |
| Bremerton Ferry Exit Tunnel | | \$3,000,000 | |
| I-405 Corridor Tukwila-Lynwood | | \$2,500,000 | |
| Olympic Discovery Trail | | \$1,000,000 | |
| SR-104/Hood Canal Bridge | | \$2,000,000 | |
| SR-99/Alaskan Way Viaduct/Seawall | | \$2,500,000 | |
| WSU Composite App. of Ferries | | \$1,000,000 | |
| TOTAL | | \$12,000,000 | |
| <i>Ferry Boat and Ferry Terminals</i> | | | |
| Friday Harbor Ferry Terminal | | \$2,000,000 | |
| Kitsap Transit, Sidney Landing Term. | | \$2,000,000 | |
| TOTAL | | \$4,000,000 | |
| <i>Trans. and Community Sys. Preservation</i> | | | |
| Aberdeen Downtown Revitalization | | \$100,000 | |
| Bellingham Central Avenue Restorat. | | \$250,000 | |
| Shoreline Interurban Trail Construct. | | \$400,000 | |
| Thea Foss Waterway Env. Study | | \$750,000 | |
| TOTAL | | \$1,500,000 | |
| <i>Intelligent Transportation System</i> | | | |
| Kent Intracity Transit Project | | \$1,500,000 | |
| Lynwood | | \$2,000,000 | |
| Program of Projects | | \$5,500,000 | |
| TOTAL | | \$9,000,000 | |

| | | | |
|--|--|--------------|--|
| Interstate Maintenance | | | |
| Interstate 182/SR 240 | | \$3,000,000 | |
| Port of Garfield Road/Bridge Road | | \$500,000 | |
| Sunnyside, South First St. | | \$1,500,000 | |
| SW First-NW Lake Road | | \$3,000,000 | |
| Union Gap/Valley Mall Boulevard | | \$1,500,000 | |
| US-12, Burbank to Walla Walla | | \$2,500,000 | |
| TOTAL | | \$12,000,000 | |
| Passenger Rail Corridor Planning | | | |
| Seattle-Everett Corridor Study | | \$750,000 | |
| TOTAL | | \$750,000 | |
| Rail-High. Grade Crossing Hazard Elim | | | |
| Pacific Northwest High-Speed Corr. | | \$1,500,000 | |
| TOTAL | | \$1,500,000 | |
| Bus and Bus Facilities | | | |
| Aurora Avenue BRT | | \$2,000,000 | |
| Burien Transit Center TOD | | \$2,000,000 | |
| C-Tran Vancouver Mall Transit Ctr. | | \$2,700,000 | |
| Edmonds Crossing Multi-modal | | \$4,000,000 | |
| Grant Transit Authority | | (\$432,000) | |
| Grays Harbor Transportation | | (\$144,000) | |
| Pierce County Bus and Bus Facilities | | \$3,000,000 | |
| Port Angeles International Gateway | | \$1,500,000 | |
| Snohomish County Transit | | \$3,500,000 | |
| Sound Transit Regional Transit Hubs | | \$5,000,000 | |
| Spokane Transit Authority | | \$3,000,000 | |
| Statewide small transit systems | | \$2,140,000 | |
| TOTAL | | \$28,840,000 | |
| New Starts Program | | | |
| Souder Commuter Rail | | \$30,000,000 | |
| TOTAL | | \$30,000,000 | |
| Jobs Access and Reverse Commute | | | |
| Work First Transportation Initiative | | \$3,500,000 | |
| TOTAL | | \$3,500,000 | |

WAS1 #1110261 v1

total \$ 147,350,000

Ms. Sherry Little
Legislative Assistant
Senate Committee on Banking, Housing,
and Urban Affairs
SD-534 Dirksen Senate Office Building
Washington, DC 20510-6075

Ms. Cheryle Tucker
Senior Transportation Analyst
Senate Committee on the Budget
SD-624 Dirksen Senate Office Building
Washington, DC 20510

Ms. Joyce C. Rose
Professional Staff Member
Subcommittee on Transportation
Senate Committee on Appropriations
SD-133 Dirksen Senate Office Building
Washington, DC 20510-6037

Mr. Steven B. Harris
Staff Director/Chief Counsel
Committee on Banking, Housing,
and Urban Affairs
SD-534 Dirksen Senate Office Building
Washington, DC 20510-6075

Mr. Mitch Warren
Senior Transportation Analyst
Senate Committee on the Budget
SD-627 Dirksen Senate Office Building
Washington, DC 20510-6100

Mr. Paul Doerer
Professional Staff Member
Subcommittee on Transportation
Committee on Appropriations
SD-133 Dirksen Senate Office Building
Washington, DC 20510-6037

Mr. Steve McMillin
Financial Economist
Senate Committee on Banking, Housing,
and Urban Affairs
SD-534 Dirksen Senate Office Building
Washington, DC 20510-6075

Mr. Wally Burnett
Clerk
Subcommittee on Transportation
Senate Committee on Appropriations
SD-133 Dirksen Senate Office Building
Washington, DC 20510-6037

Mr. Peter Rogoff
Clerk
Subcommittee on Transportation
Senate Committee on Appropriations
SH-123 Hart Senate Office Building
Washington, DC 20510

Mr. Jonathan Miller
Professional Staff Member
Senate Committee on Banking, Housing,
and Urban Affairs
SD-534 Dirksen Senate Office Building
Washington, DC 20510-6075

Ms. Sarah Kline
Counsel
Senate Committee on Banking, Housing,
And Urban Affairs
SD-534 Dirksen Senate Office Building
Washington, DC 20510-6075

Ms. Dawn Levy
Professional Staff Member
Senate Committee on Environment
and Public Works
SH-508 Hart Senate Office Building
Washington, DC 20510

Ms. Mariia Zimmerman
Senior Policy Advisor
Congressman Earl Blumenauer
1406 Longworth House Office Building
Washington, DC 20515-3703

Ms. Stephanie Gupta
Subcommittee on Transportation
and Related Agencies
House Committee on Appropriations
2358 Rayburn House Office Building
Washington, DC 20515-6027

Mr. William G. Richard
Administrative Assistant
Congressman James L. Oberstar's Office
2365 Rayburn House Office Building
Washington, DC 20515-2308

Mr. Ward McCarragher
Chief Counsel
Committee on Transportation and Infrastructure
2163 Rayburn House Office Building
Washington, DC 20515-6256

Mr. Kenneth House
Staff Director (Surface Issues)
Subcommittee on Ground Transportation
Committee on Transportation and Infrastructure
B-375 Rayburn House Office Building
Washington, DC 20515

Joyce C. Rose
Professional Staff Member
Subcommittee on Highways and Transit
Committee on Transportation and Infrastructure
B-370A Rayburn House Office Building
Washington, DC 20515-6261

Beverly Pheto
Committee on Appropriations
1016 Longworth House Office Building
Washington, DC 20515-6015

Yelberton Watkins
Chief of Staff
Congressman James E. Clyburn's Office
319 Cannon House Office Building
Washington, DC 20515-4006

Michael Erlandson
Chief of Staff
Congressman Martin Olav Sabo's Office
2336 Rayburn House Office Building
Washington, DC 20515-2305

Revised AGENDA
FTA QUARTERLY MEETING
September 5 and 6, 2002
FTA Region 10
915 2nd Avenue, Seattle, WA

Thursday, September 5

Introductions
Establish next quarterly meeting

INTERSTATE MAX

- 12:30 pm Background and construction status
 ξ Rose Quarter to Kenton
 ξ Lower Albina Overcrossing
 ξ Kenton to Expo
 ξ Ruby Junction
- 1:15 pm Systems Update
 ξ Vehicle procurement
 ξ Traction electrification
 ξ Signals/communications
 ξ Central control system
- 1:45 pm Break
- 2:00 pm Overall project activities
 ξ Staffing update
 ξ Quality assurance
 ξ Mitigation measures
 ξ Owner controlled insurance
 ξ Schedule and start up update
 ξ Cost to complete
 ξ DBE and workforce status
 ξ Grant amendment for vehicles and related systems
 improvements
 ξ Annual appropriations status

SOUTH CORRIDOR

- 2:45 pm Introductions
 ξ Project Status
 ξ Update
 ξ Public involvement update
 ξ SDEIS progress
 ξ Finance plan
- 5:00 pm Adjourn

AGENDA
FTA QUARTERLY MEETING
September 5 and 6, 2002
FTA Region 10
915 2nd Avenue, Seattle, WA

Friday, September 6

- 9:15 am **COMMUTER RAIL**
- Project Update
 - ξ Final design request and checklist review
 - ξ Railroad agreements
 - ξ Intergovernmental agreements
- 10:30am break
- 10:45 am **Commuter Rail, continued**
- ξ Full Funding Grant Agreement process and checklist review
 - ξ Next steps
- 12:00M **WRAP UP and OTHER ISSUES**

**FTA Quarterly Project Review
September 5, 2002
Interstate MAX Project Schedule Highlights**

Milestones Achieved in July - August:

| | |
|--|---------|
| Ruby South Maintenance Building Substantially Complete | July 3 |
| Received DF Fasteners for 10C | July 22 |
| TM Board approves award of Central Control to Arinc | July 24 |
| 10A/B Complete Water Relocation, including BWW tie-ins | July 31 |

Three Month Look Ahead:

| | |
|--|---------------------|
| Begin construction of Failing Street TPSS Bldg. | August 1 |
| Issue conformed IFC Drwg set for 10C | August 2 |
| Complete RQ to Upper Interstate (10A/B) Sewer Relocation | August 2 |
| Ruby Junction TPSS Building Complete | August 15 |
| Issue RFQ for Fare Collection Equipment | August 15 |
| NTP Central Control Software (10S) Contract | August 16 |
| Early access for systems installation (OCS poles, conduit) from RQ to Greeley, Killingsworth to Lombard | August 19 |
| <u>Receive quotation from S&B for Fare Collection</u> | <u>August 30</u> |
| Systems Access to Ruby Junction Signals/Communications Rooms | September 3 |
| Systems Access to Ruby Junction new TPSS Building | September 3 |
| 10C completion of pile driving operation | September 3 |
| 10C Mobilization of 10C Track Installation Contractor (MRC) | September 12 |
| Complete Mods to Existing Ops Building 2 nd & 3 rd Floors at Ruby Junction | September 16 |
| <u>Complete Mods to Existing Body Shop (convert to Maint. Bay)</u> | <u>September 20</u> |
| 10C Complete Girder Setting | October 8 |
| 10R – Modifications to Existing Body Shop Completed | October 17 |
| <u>TM Board approves award of Fare Collection Equipment</u> | <u>October 23</u> |
| Turnover of track, ductbanks, etc. to systems from RQ to Greeley, Killingsworth to Lombard | November 1 |
| NTP Fare Collection Equipment Contract | November 1 |
| Forecast 1 st LRV delivered to site | November 21 |

Project Critical Path:

10C Expo bridge and track construction; implementation of 10F (Traction Electrification) and 10G (Signals & Communications) DFI contracts; installation & testing of Central Control System (10S); Systemwide Integrated Testing; Simulated Revenue Operations; Revenue Service.

Overall Status

As of July 31, 2002 the Interstate MAX light rail project overall project percent complete is 52%, based on 28 of 54 months elapsed calendar time, beginning with the start of final design in April 2000 through civil & systems construction to simulated revenue operations and remains on target to meet the September 2004 revenue operations date.

Overall construction "calendar" schedule percent complete is 44%, based on 20 of the 45 total months planned for civil and systems construction beginning late November 2000 and scheduled completion of integrated systems testing by June 30, 2004. **Civil construction is 56% complete based on 20 of 36 months elapsed calendar time, contract completion for the final civil contract (10C) is November 14, 2003.** Civil construction is progressing ahead of the calendar period with aprx. 68% of the work completed to date based on physical % complete matrix.

**ATTACHMENT A
WASHINGTON COUNTY COMMUTER RAIL
SUBMITTALS TO ENTER FINAL DESIGN**

UPDATED 8/14/02

| <i>Requirement</i> | <i>Status</i> |
|--|---|
| Key New Starts/Final Design Products | |
| NEPA and related requirements | FONSI 3/22/01; NMFS concurrence 4/11/02 |
| Project Management Plan | To PMO 3/02 |
| Bus Fleet Mgmt Plan | To PMO 3/02 |
| Rail Fleet Mgmt Plan | To PMO 3/02 |
| Tri-Met Washington County MOU | Executed 5/17/02 |
| Other Agreements –Beaverton letter re Lombard, ODOT letter | Beaverton letter endorsing Lombard Street sent to FTA 8/1/02 ODOT letter assuring no cost for passenger rail use of ROW sent to FTA 8/1/02 |
| UPRR Term Sheet | Letter of Intent and updated term sheet sent to FTA 8/1/02 |
| P&W Shared Use Agreement | Letter of Intent sent to FTA 8/1/02 |
| P&W Siding Reconciliation | Reflected in latest draft of Shared Use Agreement & updated cost estimate; sent to FTA 8/1/02 |
| New Starts Package | Submitted 5/20/02 |
| Other Submittals/documents | |
| PE drawing package | To PMO 2/02 |
| Misc. assurance letters | To PMO 5/21/02 |
| Capital Cost & Schedule Report | Cost est. to PMO 5/2/02; full report to PMO 5/21/02 |
| Construction finance plan | Included in Capital Cost Report & Financial Plan |
| DART Letter of Interest re Vehicle Lease | Included in Capital Cost Report |

Bold = Updated Items



TRI-COUNTY METROPOLITAN
TRANSPORTATION DISTRICT OF OREGON

CAPITAL PROJECTS & FACILITIES DIVISION
710 N.E. HOLLADAY STREET
PORTLAND, OREGON 97232

August 1, 2002

Richard Krochalis, Administrator
Federal Transit Administration, Region 10
915 Second Avenue, Room 3142
Seattle, WA 98174

RE: Remaining Final Design Items – Washington County Commuter Rail

Dear Mr. Krochalis:

It's my pleasure to be able to transmit the remaining items required for Final Design Approval for this project. Washington County and Tri-Met have been very busy in the last couple of weeks with this effort, and we have been successful in gathering the necessary letters and documents needed for a strong Region 10 recommendation for approval. Our goal remains final design approval around October 1.

Attached to this letter are the following:

- A letter from the Mayor of Beaverton, attesting to the fact that City had made the policy decision endorsing use of Lombard Street by Commuter Rail;
- Letters from the Portland & Western RR (P&W) and Union Pacific confirming their intent to execute definitive documents for the proposed transactions;
- A letter from the Director of the Oregon Department of Transportation (ODOT) confirming that ODOT will not require any payments or access fees for the passenger service; and
- A revised cost estimate that identifies the negotiated price of a settlement with P&W for their loss of switching capacity within the corridor.

We reviewed these materials with the PMOC on July 31. I want to thank you and FTA staff for all of the assistance in the process of advancing this challenging and complex project, and we look forward to working with you on the next stages as we move forward.

August 1, 2002

Page 2

If you have questions or need more information, please don't hesitate to call.

Cordially,

A handwritten signature in black ink, appearing to read "Neil McFarlane". The signature is fluid and cursive, with a long horizontal stroke at the end.

Neil McFarlane,
Executive Director

Attachment

Cc: Ted Uyeno
Michael Williams
Fred Hansen
David Benjamin
Jeff Allen
Geoff Larkin
Joe Walsh
Alison Langton

Wilsonville to Beaverton Commuter Rail Project

Key Milestones

July 2002 Update

Federal Funding

| | | |
|---|------------|---|
| Obtain Finding of No Significant Impact | April 2001 | ✓ |
| Obtain approval to enter Final Design | Oct. 2002 | |
| Incorporate in FTA budget proposal | Nov. 2002 | |
| Sign Full Funding Grant Amendment | Feb. 2003 | |
| Secure listing in President's budget | Feb. 2003 | |

Design

| | | |
|-------------------------------------|------------|---|
| Complete PE | June 2001 | ✓ |
| Issue RFP for Final Design contract | July 2002 | ✓ |
| Award Final Design contract | Sept. 2002 | |
| Complete design to 60% level | Feb. 2003 | |
| Complete design to 100% level | Aug. 2003 | |

Construction

| | | |
|---|------------|--|
| Award Trackway/Systems/Stations contract (CM/GC) | Nov. 2002 | |
| Begin field work on Trackway/Systems/Stations | July 2003 | |
| Complete Trackway/Systems/Stations contract | July 2005 | |
| Award Maintenance Facility contract | Nov. 2003 | |
| Begin field work on Maintenance Facility construction | Dec. 2003 | |
| Complete Maintenance Facility | Dec. 2004 | |
| Procure new DMUs | TBD | |
| Begin Revenue Service | Sept. 2005 | |

County Board Reaffirms Support for Commuter Rail Line

For Immediate Release 08/14/02

*Contact: Anne Madden, Senior Program Educator, 503-846-4963 or
anne_madden@co.washington.or.us*

In response to the action of the Washington County Planning Commission reported in Friday's press, the Board of County Commissioners is issuing the following statement:

"As the Board of Commissioners, we remain fully committed to the Wilsonville to Beaverton Commuter Rail project.

We appreciate the Planning Commission's work in reviewing, evaluating and making recommendations on the update to the Washington County Transportation Plan. As citizen volunteers and advisors to the Board, their role in helping to chart a balanced transportation future for our community has been essential. It is a very difficult assignment, and there are no simple answers.

Creative long-term and short-term solutions will be required to maintain mobility for both people and goods in Washington County. Throughout the Transportation Plan update process, we have welcomed and encouraged new ideas. While our Board does not support the Planning Commission's recommendation regarding Commuter Rail, it appears that we may not have adequately informed the Planning Commissioners about the project's status. Commuter Rail enjoys broad community, regional, statewide and federal support, and it is our intent to ensure that it soon becomes another transportation option for county residents."

The Commuter Rail project will link fast-growing areas of eastern Washington County to the Westside Light Rail system at Beaverton. The 15-mile, five-station project between Wilsonville and Beaverton will use an existing rail road corridor and link five eastern Washington County Regional and Town Centers. Service is anticipated to run weekdays in the peak commute hours, with an estimated daily ridership of almost 5,000. Commuter Rail sponsoring jurisdictions include Washington County, the Cities of Beaverton, Tigard, Tualatin, Sherwood and Wilsonville, the Oregon Department of Transportation, Tri-Met and Metro.

###

The Oregonian 8/14/02

“It’s a highly competitive process, and if you give people a chance to beat you up ... people are going to use that to beat you up. It is really important we go forward unified as a community.”

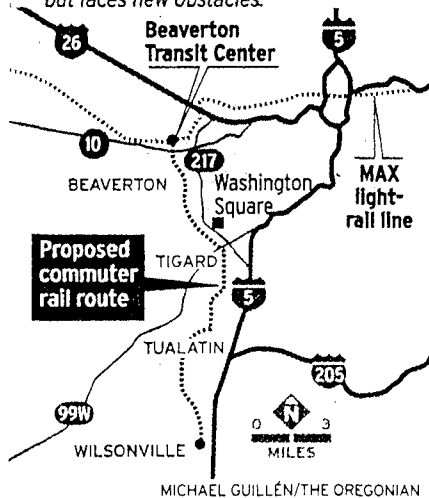


U.S. REP. DAVID WU,
D-ORE., SUPPORTING WASHINGTON COUNTY’S COMMUTER RAIL PLAN

County restates rail support

RAIL PLAN

A proposed commuter rail line would run between Beaverton and Wilsonville but only during morning and evening rush hours. The service is planned for 2005 but faces new obstacles.



Commissioners hasten to smooth over apparent discord with the planning commission on transportation priorities

By HENRY STERN
THE OREGONIAN

HILLSBORO — Washington County’s elected leaders rejected a recommendation Tuesday that they consider killing a commuter rail proposal and reviving a freeway bypass from Interstate 5 to U.S. 26.

The recommendation from the county Planning Commission confused and frustrated federal lawmakers seeking \$72 million for the 15-mile rail project between Wilsonville and Beaverton.

U.S. Rep. David Wu, D-Ore., told the Board of Commissioners on Tuesday that local dissension can undercut ef-

forts to get money, especially in a tight budget. Wu said the hunt for federal dollars has become even tougher with the economic downturn, war on terrorism and tax cut.

Wu, whose district includes Washington County, said lawmakers pushing projects use competitors’ lack of local support to undermine them.

“It’s a highly competitive process, and if you give people a chance to beat you up ... people are going to use that to beat you up,” Wu said. “It is really important we go forward unified as a community.”

Wu was preaching to the choir and the apologetic.

Commissioners stressed to the congressman — and in a news release — that the board stands behind the rail project. They also faulted themselves for not keeping the Planning Commission in the loop on commuter rail’s status.

“If we did a better job in-house, may-

be we wouldn’t have this brouhaha,” Commissioner John Leeper said. “Maybe it’s a problem of our own making.”

The Planning Commission voted last week on the recommendation as part of an update to the county’s transportation plan. The board will take up the plan update Aug. 20 at the first of several hearings.

Proponents of the bypass, which could be similar to I-205 on Portland’s east side, say the once-studied proposal is badly needed to relieve worsening traffic congestion.

“There is so much community support for it,” said Jim Records, vice chairman of the planning panel. “I don’t know how politically you can ignore that support.”

The county has committed \$25 million to the rail project. And the state has pledged \$35 million if enough financing

Continued

comes in to complete the proposal. A Senate appropriations committee has agreed to \$5 million for the coming year. Wu is seeking \$18 million on the House side.

County officials hope to sign an agreement with the Federal Transit Administration by February that would ensure the project ultimately gets the fully needed federal amount of \$72 million.

That federal request has grown from \$25 million, which Wu said also has complicated efforts.

Commuter rail supporters attribute higher costs to Union Pacific wanting to sell rather than lease its part of the line, and a desire to pay up front for safety and capital improvements.

Planners hope the line could open by 2005, predicting 2,410 riders initially and 4,650 by the year 2020. About 150,000 vehicles pass through the Interstate 5 and Oregon 217 interchange each weekday.

Wu said he came away reassured by board members and the Planning Commission chairman, Judson Randall, that local support remained strong.

"There are inevitable hiccups in any democratic process," Wu said.

Randall, who met with Wu early Tuesday, said he told the congressman that the Planning Commission did not want to undercut commuter rail.

Randall said he has reconsidered his vote and now might have

voted differently than he did last week. The commission hoped to attract attention to the depth of sentiment for reconsidering a west side bypass.

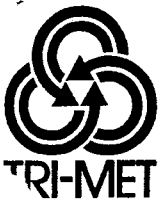
Records said Tuesday that it looks as if politics will prevent the bypass from getting new life.

Wu also briefed the board Tuesday on the status of two other financial requests from the county:

- ◆ The county is seeking \$500,000 for a preliminary environmental impact study on developing alternatives to increase long-term water supply. Options include building an irrigation exchange pipeline from the Willamette River or raising the dam at Henry Hagg Lake by 20 feet or 40 feet. Wu said he is working on the request but has been unable to get a commitment from congressional appropriators.

- ◆ The county also wants \$400,000 to \$500,000 to replace its punch-card election ballots. Washington, Lane and Clackamas counties are the last of Oregon's 36 counties to use the ballots, which set off debate in the 2000 election over their propensity for higher-than-normal vote-counting problems. Wu said Congress is weighing bills that would provide \$2.5 billion to \$3.5 billion for local governments that want to change ballot forms.

"We will work with you very diligently to make sure we get our fair share," Wu said.



MEMO

Date: June 19, 2002
To: Neil McFarlane
From: Ken Zatarain
Subject: Bus Service Considerations-Marquam Hill Suspended Cable Transportation System

Request

This memo is in response to your request for an assessment of bus service impacts that would result from three alternatives to connect Marquam Hill and North Macadam. It includes a review of previous consultant work from Carl Buttke and Metro modeling work. We reviewed our analysis with Metro and City staff of:

1. A suspended cable transport system between the two areas without an intermediate stop;
2. A cable system with a connection to transit service along Barbur Boulevard (near Gibbs Street); and
3. A “no-build” shuttle bus operated by Tri-Met.

Key Conclusions

Ridership

Do-Nothing “Base Case” vs. Shuttle Bus. Assuming ridership to Marquam Hill grows by 1.5% a year, Tri-Met could expect to have 7,777 daily boardings on Marquam Hill. This figure would increase by 26% with a shuttle bus option to 9,817.

Shuttle Bus vs. Suspended Cable. Using Carl Buttke’s estimated tram and shuttle bus ridership, total transit ridership of all non-auto modes would be 26% higher with a suspended cable system than with a shuttle bus system for a total of 12,440 daily boardings on the hill. Most of the added tram ridership would be from inter-campus trips, however, there would be some slight increases in regional trips by tourists and transfers from Streetcar to a tram.

Suspended Cable - Barbur Connection Option. Metro estimated that a suspended cable system with or without a Barbur connection would have similar total transit ridership to Marquam Hill. A Barbur connection, would however, relieve demand for regional bus service to North Macadam and Marquam Hill by 3,092 ons and offs per weekday. Total modeled total transit ridership results in similar ridership with or without a Barbur connection due to diminished bus service assumed for the option with a Barbur connection.

Operating Costs

- Assuming a ridership and service growth of 1.5% annually, Tri-Met bus annual operating costs for the six Marquam Hill lines will increase by approximately \$437,000 to \$3.55 million by Year 2020. This is the “Base Case” against which other alternatives are compared.

It is assumed that Lines 61 Marquam Hill – Beaverton and 64 Marquam Hill – Tigard TC could be discontinued with a gondola connection at Barbur. Passengers using these two lines could use other high frequency Tri-Met lines that would connect with the aerial system (Lines 12-Barbur, 94-Pacific Highway Express and 54-Beaverton-Hillsdale). This assumption is reasonable for conceptual planning purposes. Lines 12, 94 and 54 would require additional buses to handle the ridership from Lines 61 and 64, but there would still be a net savings of buses and bus operating costs. (Note: Four Line 64 stops in the Multnomah Village area, which generate about 100 boardings per weekday, would be served by local service if Line 64 were discontinued. Passengers would use local service and transfer at Terwilliger Blvd. for trips to Marquam Hill.)

Shuttle Bus

Tri-Met staff drove alternative shuttle bus routes on May 30, 2002. The following describes the findings.

Routing and Travel Time:

1. The first shuttle route reviewed was the route included in Buttke's report: it travels to OHSU via SW Macadam to Arthur to 6th to Sam Jackson Parkway, and back down to SW Gibbs/Moody via Sam Jackson Parkway to Hwy 43 to Bancroft and up to Gibbs/Moody. Buttke estimates travel times between 6 and 37 minutes. Our test drive of the route took nine minutes from SW Gibbs/ Moody to OHSU, and the return trip took ten minutes. This route reliability is likely to be variable due to the Ross Island Bridge and freeway traffic that would impact the travel time.
2. The second shuttle route reviewed is based on one found on the "No Tram to OHSU" web site: it travels from OHSU to SW Gibbs/Moody via Terwilliger, Condor, Lane, Barbur, Thomas, Corbett, Abernethy, Kelly, SW Lane, Hood, and Macadam. Condor is a narrow roadway, not suitable for bus traffic. However, a similar route would take SW Terwilliger to Hamilton, crossing Barbur at a signalized intersection, taking Corbett to Boundary to Macadam to Gibbs/Moody. This route took approximately 10 minutes (mid-day) each direction and appears to be more reliable time-wise because Ross Island Bridge traffic congestion is largely avoided.

Costs were estimated for two options, a five-minute all-day headway and a 7.5-minute all-day headway. The five-minute headway approximates the proposed Tram headway. The 7.5-minute option provides a reasonable amount of service at less cost. Both scenarios assume 18-hour/day, seven day/week operations. Both options assume a 15-passenger lift-equipped van at \$65,000 and assume Tri-Met operations cost of \$61/vehicle hour.

Attachment: Marquam Hill – North Macadam Connection Options – Year 2020.

Table 4.3
Metro Gondola Ridership Projections, 2020⁶
(Home Based Work Trips Only)

| Transit Trip Link | Trips/Day |
|--|--------------|
| Marquam Hill to/from Barbur Boulevard | 2074 |
| Marquam Hill to/from North Macadam | 656 |
| North Macadam to/from Barbur Boulevard | 486 |
| Total | 3,215 |

While Metro's modeling did not explicitly model the home based work demand for each alternative, the results provide estimates of the travel demand for the transit links such that they can be generalized to the other alternatives. The table below shows the estimates of HBW Transit trips for each link modeled in the Gibbs Street Gondola option.

The Monocable Tram option can serve all of these trips directly with the exception of the trips between North Macadam and Barbur Blvd. These trips would require the passengers to travel to North Macadam via Marquam Hill. The Gondola alternative #6 was assumed to serve the same HBW trips as Gondola Alternative #4, and the Tram alternative #5 was assumed to have the same ridership as Tram alternative #2.

| Travel Demand | Alternatives | | | | | |
|---------------------------|--------------|-------------|-------------|-------------|-------------|-------------|
| | 1 | 2 | 3 | 4 | 5 | 6 |
| Estimated Daily Ridership | 1565 - 2515 | 3815 - 5510 | 6015 - 8310 | 6265 - 9030 | 3815 - 5510 | 6015 - 8310 |
| Relative Ranking | ○ | ◐ | ● | ● | ◐ | ● |

Shuttle / *Tram* *Tram w/ Barbur* *Gondola w/ Barbur* *Ross North Star* *Ross Island Gondola w/ Barbur*

Table 4.5 Operating and Life Cycle Cost Summary

Years 1-15

1 2 3 4 5 6

Costs

| Tri-Met Fixed Route Only | Shuttle Bus | Gibbs Street Tram (No Barbur) | Gibbs St Tram with Monocable Tram | Gibbs St Gondola (with Barbur) | Ross Island Tram | Ross Island Bridge Gondola |
|--------------------------------|----------------|-------------------------------------|--|---|------------------------|----------------------------------|
|--------------------------------|----------------|-------------------------------------|--|---|------------------------|----------------------------------|

Operation & Maintenance Costs

| | | | | | | | |
|-----------------------------|------|--------------|--------------|--------------|--------------|--------------|--------------|
| System Operating Cost | \$ - | \$ 2,087,176 | \$ 2,388,440 | \$ 2,806,560 | \$ 3,753,864 | \$ 2,388,440 | \$ 3,773,864 |
| Fixed Route Transit Savings | \$ - | \$ - | \$ (72,321) | \$ (754,617) | \$ (872,617) | \$ (72,321) | \$ (872,617) |
| Total Operating Cost | \$ - | \$ 2,087,176 | \$ 2,316,119 | \$ 2,051,943 | \$ 2,881,247 | \$ 2,316,119 | \$ 2,901,247 |

Capital Costs

| | | | | | | | |
|------------------------------------|------|---------------|---------------|----------------|----------------|---------------|----------------|
| Cable System | \$ - | | \$ 8,700,000 | \$ 12,450,000 | \$ 17,000,000 | \$ 8,700,000 | \$ 22,000,000 |
| Tri-Met/Vehicles | \$ - | \$ 920,400 | \$ (256,500) | (2,439,961.48) | \$ (2,821,500) | \$ (256,500) | \$ (2,821,500) |
| Property Acquisition | \$ - | \$ - | \$ - | \$ 1,400,000 | \$ 200,000 | \$ 10,400,000 | \$ 3,000,000 |
| Utility Relocation | | | \$ 1,500,000 | \$ 1,500,000 | \$ 3,000,000 | | \$ 3,000,000 |
| Additional Structures/Improvements | \$ - | \$ 250,000 | \$ - | | \$ 1,500,000 | \$ - | \$ 1,500,000 |
| Total Capital Costs | \$ - | \$ 1,170,400 | \$ 9,943,500 | \$ 12,910,039 | \$ 18,878,500 | \$ 18,843,500 | \$ 26,678,500 |
| 15 Year Total Costs | \$ - | \$ 32,478,040 | \$ 44,685,285 | \$ 43,689,184 | \$ 62,097,205 | \$ 53,585,285 | \$ 70,197,205 |
| Total Costs/Year | \$ - | \$ 2,165,203 | \$ 2,979,019 | \$ 2,912,612 | \$ 4,139,814 | \$ 3,572,352 | \$ 4,679,814 |

Years 16-30

Costs

| Tri-Met Fixed Route Only | Shuttle Bus | Gibbs Street Tram (No Barbur) | Gibbs St Tram with Monocable Tram | Gibbs St Gondola (with Barbur) | Ross Island Tram | Ross Island Bridge Gondola |
|--------------------------------|----------------|-------------------------------------|--|---|------------------------|----------------------------------|
|--------------------------------|----------------|-------------------------------------|--|---|------------------------|----------------------------------|

Operation & Maintenance Costs

| | | | | | | | |
|-----------------------------|------|--------------|--------------|--------------|--------------|--------------|--------------|
| System Operating Cost | \$ - | \$ 2,087,176 | \$ 2,388,440 | \$ 2,806,560 | \$ 3,753,864 | \$ 2,388,440 | \$ 3,773,864 |
| Fixed Route Transit Savings | \$ - | \$ - | \$ (72,321) | \$ (754,617) | \$ (872,617) | \$ (72,321) | \$ (872,617) |
| Total Operating Cost | \$ - | \$ 2,087,176 | \$ 2,316,119 | \$ 2,051,943 | \$ 2,881,247 | \$ 2,316,119 | \$ 2,901,247 |

Capital Costs

| | | | | | | | |
|----------------------------|------|---------------|---------------|----------------|----------------|---------------|----------------|
| Cable | \$ - | | | | | | |
| Tri-Met | \$ - | \$ 920,400 | \$ (256,500) | \$ (2,439,961) | \$ (2,821,500) | \$ (256,500) | \$ (2,821,500) |
| Total Capital Costs | \$ - | \$ 920,400 | \$ (256,500) | \$ (2,439,961) | \$ (2,821,500) | \$ (256,500) | \$ (2,821,500) |
| 15 Year Total Costs | \$ - | \$ 32,228,040 | \$ 34,485,285 | \$ 28,339,184 | \$ 40,397,205 | \$ 34,485,285 | \$ 40,697,205 |
| Total Costs/Year | \$ - | \$ 2,148,536 | \$ 2,299,019 | \$ 1,889,279 | \$ 2,693,147 | \$ 2,299,019 | \$ 2,713,147 |

| | | | | | | | |
|-----------------------------|------|---------------|---------------|---------------|----------------|---------------|----------------|
| 30 YEAR TOTALS | \$ - | \$ 64,706,080 | \$ 79,170,570 | \$ 72,028,367 | \$ 102,494,410 | \$ 88,070,570 | \$ 110,894,410 |
| 30 YEAR AVERAGE/YEAR | \$ - | \$ 2,156,869 | \$ 2,639,019 | \$ 2,400,946 | \$ 3,416,480 | \$ 2,935,686 | \$ 3,696,480 |

What's next for TEA-21?

Reauthorization means it's time for Congress to foot more of the bill for transit spending

By Don Harris

transit advocates and bus operators from coast to coast face an uphill climb trying to convince Congress to increase funding under reauthorization of the 1998 Transportation Equity Act for the 21st Century, known as TEA-21.

Nevertheless, top representatives of major bus associations, public transit organizations and key federal officials continue to provide lawmakers with well-documented proposals that would require a substantial boost in federal funding. And one group is recommending a bonding proposal that would generate hard-to-find additional funding.

The American Public Transportation Association puts the price tag at \$42 billion a year over the next six-year authorization period to maintain and expand systems in anticipation of a projected 4.5 percent annual increase in ridership. The current TEA-21 commitment for transit projects is \$7.2 billion for 2003, the last year of the authorization period.

APTA proposes a doubling of the federal transit program to \$14 billion by 2009. Bridging the gap isn't going to be easy, but APTA offered a plan. In testimony before the House Transportation and Infrastructure Committee's subcommittee on Highway and Transit on April 17, William Millar, APTA president, says his organization recognizes that federal funding alone cannot meet all of transit's needs. However, a strong commitment from the federal government will open the door to capital from the private sector, Millar says.

An increased federal commitment may require a 4-cents-a-gallon hike in the federal gasoline tax earmarked specifically for transit, according to Millar. The current federal gasoline tax is 18.4 cents a gallon, with 15.45 cents going to highway construction and 2.85 cents to transit projects.

"But who says that has to be the ratio," Millar says, adding that a 15-cent increase wouldn't be so outrageous. Besides, motorists are accustomed to seeing gas prices rise and fall on a regular basis, he says.

Mere mention of the "T" word causes members of Congress to recoil. Rep. Robert Borski, a Pennsylvania Democrat, says even the most optimistic forecast has the federal commitment remaining fairly stable.

Subcommittee Chairman Thomas Petri, a Wisconsin Republican, suggested that better bonding mechanisms coupled with stable funding could attract private sector investment.

To support his position, Millar cited the following statistics:

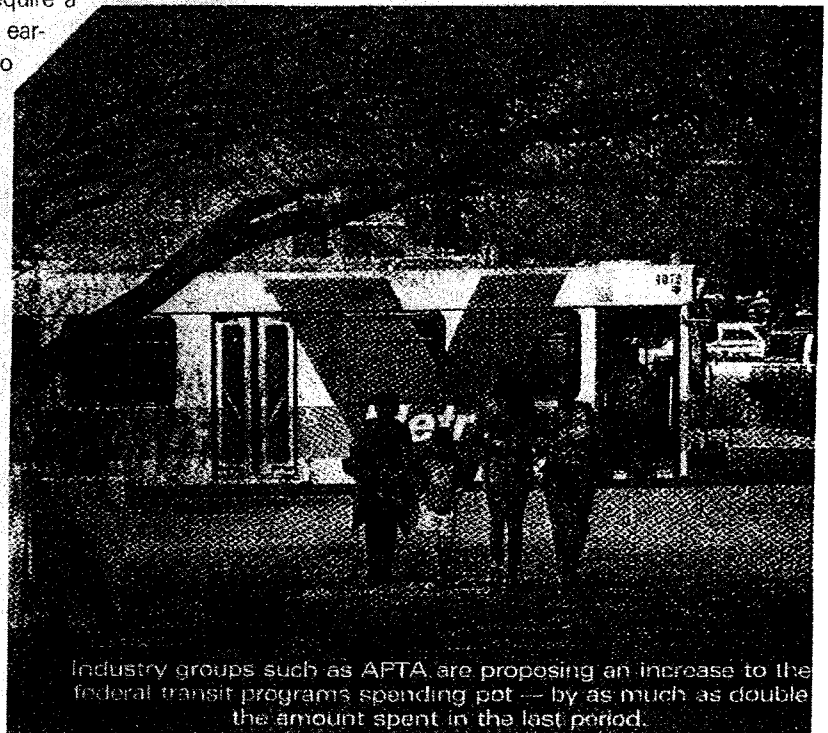
- Americans used public transportation a record 9.5 billion times in 2001.
- Transit ridership has increased 23 percent since 1995, to the highest level in 40 years.
- During the past six years, transit ridership has increased faster than the population (8.4 percent), highway use (14.7 percent), and domestic air travel (19 percent).

He credits ridership growth to infrastructure improvements brought about through TEA-21. For example, Millar says, since 1997 the average age of buses has fallen from 8.7 years to 6.9 years; and of vanpool vehicles, from 3.3 years to 2.3 years.

APTA is continuing to develop recommendations on how, within the existing program structure, to address such emerging issues as core capacity, New Starts growth bus rapid transit, older bus fleet upgrading, transit intensive service in smaller areas, rural transit funding, and additional research.

Dan Duff, an APTA spokesman, says the organization is also developing its position on the gasoline tax and the ratio for doling out funds. Industry sources say there is little likelihood of a change in the ratio or a tax increase.

Though Duff did not speculate on the prospects for a tax hike, he noted that Congress has been quite receptive to the needs of the nation's transit industry. Congress has already authorized some 200 New Start projects, many in fast



Industry groups such as APTA are proposing an increase to the federal transit programs spending pot — by as much as double the amount spent in the last period.

growing cities in the West. "We have shown that the investment in TEA-21 has paid off handsomely," Duff says. But Duff adds that President Bush's proposal to create a cabinet-level department of security "has tightened the (financial) environment."

Jennifer Dorn, federal transit administrator, U.S. Department of Transportation, also appeared before the subcommittee but did not address Miller's suggestion for an adjustment of the ratio. "There are more needs than can possibly be accommodated," she says.

Those needs fall into three categories:

- Maintaining existing systems in urban areas;
- Developing new systems in rapidly growing areas;
- Meeting concerns of rural communities with few, if any, transit options.

Changing the ratio attracted the interest of Rep. Shelly Berkley, a Nevada Democrat, who says Las Vegas, the nation's fastest growing city, doesn't get its fair share of transit funding. Other cities in the West could likewise benefit from a reallocation of funds.

Dale Marsico, president of the Community Transportation Association of America (CTAA), proposed more money for transit than even APTA wants, but he managed to avoid recommending a tax increase. Marsico told the committee that Congress should increase transit funding to \$13.9 billion in 2004, the first year of the reauthorization, and guarantee \$25.5 billion by 2009.

"We propose creating a mix of trust fund, general fund and tax credit investment to meet the expanding need for public and community transportation alternatives for all Americans," Marsico says. "The most significant departure from the current program funding involves an innovative use of tax credits to finance mobility growth and expansion."

Tax hikes might mean political fights

Marsico recommends a tax credit program for transit projects, similar to a \$25 billion "New Market" tax credit program instituted by the Clinton administration for economic development in low-income communities. "Help us communicate the message to other committees and agencies

that transit should be included as eligible activities in low-income housing and economic development projects," Marsico told subcommittee members.

Scott Bogren, a spokesman for the CTAA, says the organization does not favor a tax increase or a change in the funding ratio. He notes that a tax hike "is not politically feasible," and the CTAA does not want to get into a fight with highway interests. "After all, we use those highways and bridges," Bogren says. "The real issue is how to increase investment in transit. The tax credit proposal would increase private sector involvement and investment in public and community transit."

Dorn indicated support for innovative financing mechanisms, but expects TEA-21 to continue relying on gas

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{ busride august 2002 }



APTA says that transit ridership has increased 23 percent since 1995 — the highest level in 40 years.

are coming from and where they're going."

Gail Taylor, a spokeswoman for Dorn's office, says it is too early for the agency "to get into gas tax" issues.

Though Rep. Petri wasn't ready to embrace a gas tax increase, he emphasized his general support for transit funding. "TEA-21 provides the federal transit program a guaranteed funding stream of both highway trust funds and general funds," he says. "The budgetary 'firewalls' ensure that transit agencies know exactly how much funding they will receive each year from the formula programs. The importance of this predictability cannot be overemphasized. It gives local governments and private lenders the confidence to leverage the federal dollars to a significant degree."

tax revenue and other user fees for transit funding.

Bruce Frame, director of public affairs for the Federal Transit Administration, says any proposal relating to the gasoline tax would be contained in the president's budget that will be submitted to Congress early next year. TEA-21 proposals are under development, Frame says.

"We need to see what works and what needs to be improved," he says.

Frame emphasized that transportation planning is a local issue. "Congress made that decision to put it in the hands of local people who know their needs, who know where people

Jeffrey Parker, a transportation financial consultant, agrees with Petri. "Funding guarantees can help the private financial markets make scarce federal dollars go further," he says. "Even as TEA-21 increased transit resources by an average rate of 9 percent per year, the financial markets used the funding guarantee provisions to produce an even bigger bang for the buck. TEA-21's funding guarantees provide the stability and predictability necessary to reduce the backlog of deferred maintenance, establish a state of good repair and offer consistent service levels. Maintaining the state of good repair and increasing capacity to serve growing demand will require significant funding increases in the years ahead."

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Parker told of the largest bus procurement in American history. New Jersey Transit has issued approximately \$1 billion in certificates of participation to fund the purchase of 1,244 buses, 200 passenger rail cars and 24 electric locomotives. The order placed with Motor Coach Industries is reportedly the largest bus purchase made in the U.S., Parker says.

Using certificates of participation, he explains, is a mechanism that permits New Jersey Transit to lease the buses and rail equipment. Lease payments will be made from Section 5307 block grants. No other credit is pledged, according to Parker.

Parker says the transactions were given an "A" credit rating because TEA-21 funding guarantees "low variability of federal funding levels for transit through 2003," and "money allocated to transit cannot be reallocated for any other purpose without repealing the Transportation Equity Act for the 21st Century."

Dom's boss, Transportation Secretary Norman Mineta, spelled out the Bush administration's overall position on the reauthorization of TEA-21 before the Senate Committee on Banking, Housing & Urban Affairs on March 13.

Core principles must be in place

Mineta says TEA-21 strengthened public transit in five distinct areas: 1) the predictability, equity and flexibility of funding; 2) safety; 3) mobility and system upgrading; 4) the application of innovative technologies; and, 5) improving the quality of life.

"As we move forward with reauthorization, I have asked

We must have a significant increase in funding to meet the monumental needs being faced by state and local governments.

John Horsley, executive director, American Association of State Highway and Transportation Officials.

DOT to adhere to certain core principles and values," Mineta says. Among those, Mineta says the federal government must:

- Continue to assure adequate and predictable funding for investment in the nation's surface transportation system.
- Preserve funding flexibility to allow the broadest application of funds to the best transportation solutions identified by state and local partners.
- Expand and improve the programs of innovative financing, to encourage private sector investment in the transportation system, and look for other inventive means to augment existing revenue streams.
- Emphasize the security of the nation's surface transportation system, providing the means and the mechanisms to perform risk assessment and analysis, incident identification, response, and when necessary, evacuation.
- Continue to make substantial improvements in safety.
- Develop and deploy innovative technology.



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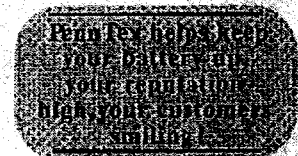
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{ busride august 2002 }

Linda Darr, vice president for policy and external affairs for the American Bus Association, says the ABA's primary focus is to be "more involved in the planning process, and have better access to federal funds and programs."

Darr, too, recognizes that federal funds may be harder to come by as a result of the president's security initiative. The ABA, she says, is opposed to a gas tax increase.

"We want to maximize the use of existing resources," Darr says. "We feel they are being under-utilized."

The ABA has developed a series of "concept papers" covering such topics as Americans with Disabilities Act compliance, airport congestion, promoting bus service through DOT, commuter bus operations, environmental streamlining, intermodal transportation facilities, a single nationwide source for public transportation information, national parks transportation, promoting private sector opportunities, research funding, rural bus service and transportation funding, transportation planning for intercity buses, and urban bus parking shortage.

The American Association of State Highway and Transportation Officials, which represents transportation departments in the 50 states, the District of Columbia and Puerto Rico, proposes that federal transit funding be increased to \$10 billion a year during the six-year reauthorization period. AASHTO President Brad Mallory, secretary of the Pennsylvania Department of Transportation, says the states "are proposing an achievable investment increase and are offering a sensible approach to finding the funding."

To that end, AASHTO recommends the creation of a new federally chartered Transportation Finance Corporation that would issue bonds to leverage funds collected in the Highway Trust Fund. AASHTO Executive Director John Horsley explains: "The TFC is a new financing approach that takes the innovative financing strategies of TEA-21 to the next level, enabling all states to benefit from a nationwide initiative."

Through bonding, \$18 billion in revenue could be more than doubled to generate program increases of \$34 billion for highways, \$8.5 billion for transit and \$5 billion for other needs, AASHTO reports. When combined with current funding and incremental growth, such leveraging could generate a six-year federal program level for highway and transit of \$280 billion. AASHTO's reauthorization objectives include maintaining funding guarantees and budget "firewalls," and increasing flexibility to meet such priority needs as security, safety, congestion relief, freight needs, system preservation and capacity enhancement.

Horsley says the purchasing power of the federal gas tax will have dropped by 26 percent by fiscal 2009 from 1996 when the last increase went into effect. He adds, "We must have a significant increase in funding to meet the monumental needs being faced by state and local governments." □

Don Harris is a free-lance writer in Scottsdale, AZ.

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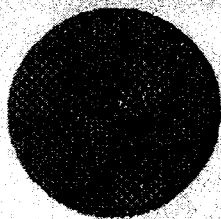


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Downtown work will proceed on light rail project

Wednesday, August 14, 2002

SEATTLE POST-INTELLIGENCER STAFF

The first shovel on Sound Transit's Central Link light rail project in downtown Seattle will be turned late this month or early next month, the agency announced yesterday.

Contractors will begin demolishing buildings and clearing a 25-acre piece of land in the Sodo neighborhood to prepare it for construction of the maintenance base for the 14-mile light rail line that will run from downtown Seattle to near Sea-Tac Airport.

The agency had delayed starting the project while waiting for a letter from the federal government authorizing use of federal money for the project, but the letter, which is expected soon, has not yet been issued.

Sound Transit has decided to use local funds instead for the project, because it's a relatively small project at \$5 million and because the bid was very favorable and was about to expire, said spokesman Geoff Stuckart. Also, Sound Transit wanted to get the work started before the rainy season starts, he said.

HEA

Downtow
proceed
project

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RVTD board will add personnel liaison post

By JILL BRISKEY
Mail Tribune

The Rogue Valley Transportation District agreed to hire a regional human resources and employee relations consulting firm to iron out difficulties between the board of directors and staff.

During a special meeting on Tuesday, the seven-member board unanimously voted to hire HR Northwest out of Tualatin through the district's attorney, Martial Henault.

According to RVTD board Chairwoman Eva Avery, HR Northwest will conduct confidential interviews with General Manager Sherrin Coleman, key staff members and the board of directors.

Avery said that information will be used to prepare a confidential report with recommendations to improve policies, procedures and communication between RVTD's board and staff. It also will be used to define specific board and staff roles.

According to Coleman, HR Northwest will cost the board approximately \$2,500 daily. Henault on Tuesday estimated it would cost RVTD \$5,000 for the completed report.

Henault told RVTD board members that the district could continue contracting with the consulting firm after the report is complete.

According to a company spokeswoman, HR Northwest specializes in consulting work, training and development, policies and procedures, and employee relations.

In other business on Tuesday, the board voted to send a letter to the Rogue Valley Metropolitan Planning Organization (MPO) informing the agency that RVTD board member Carol Bennett's "no" vote regarding a regional transportation plan was appropriate.

In April, the RVTD board reached a consensus not to support the

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plan, which serves as a blueprint for local improvement projects.

In July the board questioned the decision and wanted to know if Bennett — who serves as RVT D’s liaison to MPO — was authorized to cast a dissenting vote.

The RVT D board agreed on Tuesday to discuss the regional transportation plan during its next scheduled meeting.

The board briefly discussed MPO’s request for more information about the decision to reject Coleman’s upcoming contract renewal, a decision made in June. The board agreed to allow Henault to address the issue after the confidential report from HR Northwest is compiled.

Reach reporter Jill Briskey at 776-4485, or e-mail jbriskey@mailtribune.com

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August 5, 2002

Senate Leaves Homeland Security, Budget Issues Until Fall...

as the senators followed their House counterparts into the summer recess well behind schedule on the annual appropriations bills for transportation and other programs and with unresolved homeland security legislation stalled on largely partisan policy divisions.

Without a quick deal on some overall budget and spending issues, Congress is on course to enter the new fiscal year October 1 with only a few of the 13 annual appropriations bills completed. With less than four full working weeks in September, it is unlikely that the measures can be rushed through passage in each chamber and then through what promises to be difficult House-Senate conference negotiations on the final versions.

Grantee Budgets Subject To Change. State and local TEA-21 grantees, whose budgets and construction schedules may vary with the numbers in the appropriations bills, may have to draw up some backup budgets and schedules to fit the various scenarios. The coming legislative crunch would put off final action on the Transportation Appropriations bill until after October 1. DOT and other federal agencies without final bills would stay in operation under stopgap continuing resolutions.

For the highway program, the contract authority of the TEA-21 and the guaranteed funding levels for most highway and transit programs would ordinarily mean that the highway obligation ceiling and highway and transit program apportionments would effectively be locked in for the coming year, not needing action by appropriators. FHWA has already released a tentative set of program apportionments, assuming an FY 2003 highway program at the TEA-21 authorized level of \$27.74 billion (Volume 21, Number 28). However, with the Senate committee bill offering the prospect of keeping the highway obligation ceiling at the current \$31.8 billion, **states could see a \$4 billion swing in federal funding.** On the transit side, however, look for appropriators to adhere to the TEA-21 funding guarantees, plus any earmarks that they can find money for (see below).

Playing Catch-Up. The appropriators were doomed to a slow start on this year's funding bills by budget gridlock that has prevented House and Senate agreement on a common government-wide spending cap for FY 2003. That has left House and Senate appropriators moving ahead with markup under different spending caps. But a flurry of appropriations activity in the two weeks before the recess moved several bills forward, and as Congress left town, three of the 13 annual bills had passed both houses, and the Senate appropriators had completed full committee markup on the remaining ten departmental bills, including transportation (Volume 21, Number 30). However, floor action on these will await House passage. The House has passed a fourth bill; three more have made it through subcommittee or full committee markup. Fully six of the House funding bills, including the Transportation Appropriations bill, still await initial subcommittee markup.

The lingering budget indecision only complicates the job of the appropriators, since it has left House and Senate appropriations committees operating under two different government-wide spending ceilings, the \$768 billion level approved by the Senate Budget Committee and the \$759 billion cap approved by the House and backed by the Bush administration. In addition, the House transportation appropriators are set to approve a highway obligation ceiling of \$27.7 billion, the level agreed to by the White House and House Transportation and Infrastructure Committee chairman Don Young (R-AK) as preferable to the \$23.3 billion ceiling of the original Bush budget.

In short, when House appropriators get around to the Transportation Appropriations bill, probably no earlier than mid-September, they could be moving toward a House-Senate conference on two bills that differ by at least \$4 billion, and that does not count possible serious differences over funding for Amtrak or conditions that the White House and the House appropriators might want to attach to any new money for the railroad. If the House has any room at all for extra funds, it could be sucked up by money the White House is expected to want for the Transportation Security Administration, to make up for cuts in the final emergency supplemental spending bill (see below).

Other appropriations bills are headed toward equally tough showdowns in House-Senate conference committees. The president's top aides have repeatedly warned that he is willing and perhaps even anxious to drop a veto at the first opportunity, i.e., the first measure that he can label as a budget-buster. The odds still favor U.S. DOT and several other federal agencies going into the new year on a continuing resolution.

Other Complications. The Senate failed to do much more work on its version of the bill to establish a new Department of Homeland Security, managing only to schedule a vote that could bring the measure up for Senate floor debate soon after the senators reconvene after Labor Day. Senate Democrats plan to put up a much tougher fight than their House counterparts could mount over the White House insistence on administrative flexibility in managing the new department, which, argue Democrats, threatens Union representation and whistleblower protections for workers. Sen. Robert Byrd (D-WV) opposes what he characterizes as a rush by the White House to move on what would be the most sweeping federal reshuffling since World War II or even the Depression.

Some other legislation is also stuck in the pipeline and will have to be enacted or given up for lost during September. One bill on the bubble is the energy package, passed in different versions by the House and Senate, and stuck in a conference committee that has only met twice, without taking on the toughest issues before it. The conferees are now scheduled to take up the vehicle fuel economy issues at a September 9 meeting, with a session slated for September 16 on ethanol use and tax incentives for energy production. The most controversial matters, including the opening of the Arctic National Wildlife Refuge to oil exploration and drilling, will be held until last. Unlike the Homeland Security bill, which is guaranteed enactment in some form to save Congress and the administration from a politically lethal embarrassment, there is no consensus on whether a deal can be reached on a final energy package.

A budget breakthrough is still considered a long shot. But some lawmakers are working to avoid it. Senate Budget Committee chairman Kent Conrad (D-ND) last week told the Bureau of National Affairs that he will try in September to break the budget impasse with a proposal for a two-year plan that would okay \$768 billion for next year and \$786 billion for FY 2004. Conrad would be willing to lock it in legislation that would give the ceilings the force of law. This would require convincing the House to go along. The Budget Committee's ranking Republican, Sen. Pete Domenici (R-NM), still hasn't agreed to Conrad's numbers, but Conrad said, "Pete and I are not far apart on the second year."

Senate Minority Leader Trent Lott (R-MS) last week amplified his earlier (Volume 21, Number 30) conditional support for a Senate budget higher than the president's, saying he is willing to see the Senate pass appropriations bills that exceed the Bush administration recommendations, as long as the total does not go over the \$768 billion Senate plan that is \$9 billion above the White House total. Lott, while repeating his support for the president's ceiling, predicted that at some point this fall, the administration "will show some appropriate flexibility." That's an example of how to use the press to send a message to the president, the message in this case being that the Senate Republican leader thinks some flexibility will be appropriate.

The Battle For Any Edge. The September scenario is colored by the coming elections. Both Democrats and Republicans see themselves with fair chances to wind up controlling the House, the Senate or both in

the 108th Congress that takes office in January. In the Senate, Democrats have a one-vote margin, the vote of Sen. James Jeffords (I-VT), who left the Republican side to become the Senate's only Independent, but who votes with Democrats on the key issue of Senate control. In the House, a swing of only six votes would give Democrats back the majority they lost in the 1994 elections. The narrow margins have made it hard to get legislation through, especially in the Senate, and impossible to forge agreements on some key issues such as the budget where a party's campaign strategy will be based on what happens in Congress.

A long-delayed bankruptcy bill was stopped in its tracks last week just short of enactment by abortion politics, a dispute over provisions to prevent abortion protesters from escaping financial judgements by declaring bankruptcy. Almost everything that happens on Capitol Hill, including a Senate Ethics Committee decision to "admonish" Sen. Robert Torricelli (D-NJ) for accepting gifts and failing to disclose them, is viewed in the light of its potential impact on the November election.

Life is different for both members and staff when they move from the minority to the majority and vice versa. In past changeovers, committee chairman reduced to "ranking minority member" status find their budgets and staff must shrink. More important, they are given a seat at the table when legislation is drafted and deals are cut only to the extent that their votes are needed to pass the final version. For the minority, especially in the House, consultation is the best that can be expected. This does not always apply in the Senate, where partisan solidarity is more tenuous, especially in the present session where leaders have agreed that staff and budgets are to be divided equally to reflect the initial 50-50 split that preceded the defection of Sen. Jeffords from the Republican ranks.

In the House, the Transportation and Infrastructure Committee comes closest to undercutting the generally hammer and tongs nature of partisan wrangling that affects most legislation. The committee has a history of bipartisan cooperation that continues in the current session, with committee members generally voting unanimously on major bills, and committee members of both parties being granted a say in project amendments and provisions that affect their districts. The unity is reinforced by the ability of the 75-member committee to be a major bipartisan force in any House floor showdown. The mantra on committee bills is that there are no Republican or democratic highways or bridges. However, on partisan issues, the members often go their separate ways to follow party lines.

In Brief...

It's The Law: Bush Signs Emergency Supplemental and with it the provision that effectively strips the RABA (revenue-aligned budget authority) calculation out of the FY 2003 apportionments of the federal-aid highway program. The president signed the bill, which ended up at the \$28.9 billion level, just before joining Congress in getting out of town for most of August. The final version dropped Senate language that would have permitted a highway obligation ceiling as high as \$28.9 billion, keeping House language that names no figure, but that "deems" the RABA for the coming year to be zero. That would peg the obligation ceiling at the authorized \$27.74 billion. The legislation does not prevent Congress from setting a higher obligation ceiling if it chooses and as the Senate Appropriations Committee version of the Transportation Appropriations bill would do.

However, the compromise with the White House that brought the funding total down to close to the president's level cost several hundred million dollars in defense funding and important dollars for DOT's Transportation Security Administration. The administration has indicated that it will try to get that money back in the FY 2003 Transportation Appropriations bill. G.O.P. budget hawks and the administration, too, might insist on offsetting cuts from other DOT programs to make room for the extra TSA money. That will add to the squeeze on house appropriators, already working under a lower ceiling for the Transportation bill than their Senate counterparts had for last month's markups.

Senate Appropriations Earmarks Boost Funding Outside Project Categories. The committee-approved version of the FY 2003 Transportation Appropriations bill and the accompanying committee

report have been published on Congress's Thomas web site, and they show that earmarking of highway and transit projects may have moved to a new level. As in recent years, the appropriators have taken to earmarking all of the new highway and transit categories established as competitive grant programs in the TEA-21 (Volume 21, Number 30), in some cases earmarking more money than is authorized for the program for the coming year. But in a subsection of the bill's third title, covering General Provisions, the Senate bill includes 48 new funding earmarks for "surface transportation projects," totaling \$160 million, separate from the line items for FHWA, FTA or other agency programs that are addressed in the first two titles of the bill.

The Senate project list, with funding ranging from \$1 million to \$10 million per project, includes marks for seemingly traditional projects for highways, ferries, rail repair, a heliport, safety enhancements and an intermodal facility. Since there is no provision for taking the money from highway, transit, aviation or other trust fund accounts, the funding is to come from general funds.

In the report on the bill, the Senate Appropriations Committee describes the funding as "a \$16,000,000 increase over the amount that was appropriated in fiscal year 2002." That would seem to indicate that the bill simply continues an established program or practice, with a slight increase over previous funding. In fact, last year's Senate version of the FY 2002 Transportation Appropriations bill included a modest \$20 million in Senate project earmarks, and the House bill was passed with no comparable provision. It was only the final version, coming out of the closed-door House-Senate conference committee, that included a surprising quantum leap from the \$20 million Senate list to a roster of 55 projects with a combined price tag of \$144 million.

This year, the Senate bill takes a next step toward institutionalizing the practice of inserting new projects in appropriations outside the standard program categories. This might run into objections from the "authorizing committees," the House and Senate public works committees that write the highway and transit laws. In the past, House T&I Committee leaders have won points of order on the House floor by challenging appropriations prose that authorize projects or modify the law without the T&I Committee committee's consent. This time, with appropriators willing to contribute general fund money for projects that are listed apart from the regular program funding line items, the authorizing committee leaders may have less ability to object.

House T&I Committee chairman, and often their opposite numbers on the Senate Environment and Public Works Committee, are prone to complain when appropriators indulge in "authorizing on appropriations" that trespass on the jurisdiction of the authorizers. However, in the Senate, the crossover membership on committees by several appropriations senators will undercut any territorial fighting, while in the House, the fact that these line items are separate from the authorized programs and not drawn from trust fund accounts, might insulate them from such objections. In fact, it is far from clear from the brief language of the Senate bill whether any of the usual program requirements applicable to highway, transit and other federal-aid projects, such as planning requirements, environmental review, Davis-Bacon, or even the need for a non-federal match, will even apply to these new fundings.

The acceptance of extensive new project fundings within the annual transportation appropriations bill but outside program boundaries could set a precedent for years beyond FY 2003 or become a point of contention between authorizers and appropriators in next year's reauthorization of both the TEA-21 and AIR-21. Look for the authorizers to try to come up with new language for the "TEA-3" that retains, as much as possible, their current authority to authorize individual projects.

TEA-21 Clean Air Issues Weighed In Senate Hearings. The Senate Environment and Public Works Committee last Tuesday got an early look at some of the complexities it will face on environmental issues when it takes up TEA-21 reauthorization. The committee, which is working its way through a long list of general reauthorization topics, used last week's session to examine the effectiveness of the Congestion Mitigation and Air Quality (CMAQ) program, conformity requirements and the role of new technologies. FHWA Administrator Mary Peters used her time to point with pride at the successes of ISTEA and TEA-21 in making "remarkable improvements" in air quality over three decades in which the population has

grown by a third and vehicles miles have gone up 143 percent. Tougher standards for cars, SUVs and other light trucks over the next several years will reduce pollution by the equivalent of removing 164 million cars from the road. However, she warned of the potential impact of new, stiffer air quality standards that will raise the bar for ozone and add new standards for particulates. The result will be new hurdles for project conformity approval. However, Peters was silent on the administration's own proposals, pending submission of the Bush administration reauthorization plan that is due to go to Congress along with the FY 2004 budget request early next year.

Just ahead of last week's hearings, the Transportation Research Board (TRB) unveiled a lengthy, 500-plus page report on the CMAQ program's ten-year record. The report, by an evaluation committee drawn from mostly academic institutions, concludes that the program is valuable, but with benefits that are qualitative, and hard to quantify. The report recommends numerous changes to the TEA-21 section on the CMAQ, including greater involvement of state and local air quality agencies in CMAQ project evaluations, and increasing the program's scope to include not only auto-related pollutants, ozone and carbon monoxide, but all pollutants regulated by the Clean Air Act, especially particulates, which may be a greater long-range health problem than ozone.

The report also proposes expanding CMAQ project eligibility, to include any local project that can demonstrate the potential for cutting mobile source emissions. This could even include land use actions that are aimed at long-term reductions in mobile source emissions. The report also suggested possible relaxation of restrictions that prevent the use of CMAQ funds for operating purposes, if such spending is shown to be cost-effective.

The full report, which is a large download, is posted on the TRB web site at <http://gulliver.trb.org/publications/sr/sr264.pdf>.

A two-page Summary is available at: <http://gulliver.trb.org/publications/sr/sr264sum.pdf> Prepared statements and written testimony from this hearing are available on the committee web site at: http://www.senate.gov/~epw/stm1_107.htm#07-30-02.

Jeffrey Holmstead, the head of U.S. EPA's Office of Air and Radiation, focused on a continuing sore point, the disconnect between highway and transit project planning cycles that can extend over a decade or more and the much more frequent revisions of environmental plans that can turn into moving targets for transportation project sponsors. This was an issue that was evident in time for Congress to act on it in the 1998 TEA-21 but which went unaddressed in that law, as attention was focused on the streamlining provisions designed to expedite the planning process. Next year, with implementation of the streamlining mandate stalled by widespread objections to FHWA and EPA's proposed rules, the interrelated planning and environmental issues are going to be back on the table for Congress to grapple with, or finesse for a second time.

Holmstead and Peters both noted that while new designations for ozone and particulates are due beginning in 2003 and 2004, EPA is constrained by the law from issuing designations before then. Adding particulates to clean air implementation concerns along with tougher ozone standards will only increase the difficulty of the conformity process. Michael Replogle of Environmental Defense, who urged a major increase in CMAQ funding, also suggested legislation to "assure that the frequency of conformity supports timely analysis of air quality goals," adding that "many of today's surprises come from poor coordination. Making the deadlines farther apart would likely just make the surprises larger."

An environmental issue not quite ripe for Congress is the interrelationship of **greenhouse gas emissions and transportation**, an offshoot of the global warming debate that will keep moving up on the public agenda the longer much of the nation suffers from protracted summer heat, forest fires and drought. A report issued by Environmental Defense last week said that cars and light trucks generate one-fifth of all the carbon dioxide emissions that are associated with global warming, accusing Detroit of bowing to

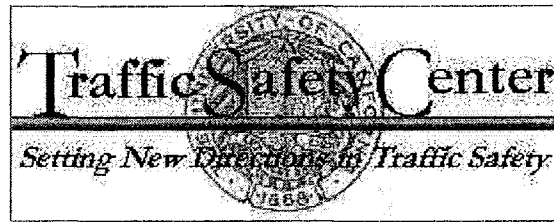
consumer demand for the less efficient SUVs and other light trucks while failing to address “their products’ harm to the planet and liability for oil dependence.” The issue has already been the focus of a political battle royal in California, where the state, barred by federal law from adopting tougher CAFE (Corporate Average Fuel Economy) standards on its own, enacted a new law that mandates “maximum” feasible efforts by auto manufacturers to control greenhouse gas emissions. Since the major greenhouse gas, CO₂, is an unavoidable by-product of any combustion of carbon-based fuels, the fuel additives effective for cutting the smog-related auto emissions don’t work; only a switch to electricity, hydrogen or other non-fossil fuel or making gasoline and diesel engines more efficient will help.

The decision last month by Governor Gray Davis(D) to sign the law the state legislature sent him has triggered a court challenge by the manufacturers, who have complained from the start that the greenhouse gas mandate is only an effort to circumvent the state’s inability to directly order higher CAFE standards. The manufacturers have also considered mounting a petition drive to take the law to the ballot.

A coalition of many but not all heavy truck engine manufacturers lost its own lobbying campaign last week when the Bush administration, driven to honor a consent decree, announced it will not alter the new, tougher emissions standards for diesel engines, effective October 1. Industry complaints have been undercut by the approval given to two manufacturers, Mack Truck and Cummins, which secured EPA approval for new engines that meet the standard. Five others, with one exception, are unable to meet the deadline set in a court order that stems from their 1998 deal to escape prosecution for prior illegal discharges of more than one million tons of NO_x emissions during the 1990s. Another part of the deal was the agreement to meet a deadline one year earlier than the January, 2004 deadline that applies to other engine makers. The noncomplying engine manufacturers will be fined as much as \$12,210 for heavy-truck diesel engines that don't meet the Oct. 1 deadline to cut nitrogen-oxide emissions.

House Speaker Dennis Hastert (R-IL), whose district includes plants of Caterpillar, led the lobbying charge for EPA to relax its deadline, but the agency noted that the date was agreed to by the manufacturers and is backed up by a court order. Volvo and Detroit Diesel have each reported they are soon submitting their own new engine models for EPA approval. Freightliner, the U.S. truck division of Daimler-Chrysler, plans to use engines made by Mercedes-Benz, a foreign subsidiary of Daimler-Chrysler, which is not subject to the consent decree and has until January of 2004 to meet the new standard.

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Why Older Adults Don't Walk

Safer designs could encourage more pedestrian trips

To the extent that walking can be safely substituted for driving, it should be encouraged among all pedestrians, but seniors present an especially rich opportunity for change, since so much of their travel—90% of their trips—is by car. For many older people, walking would also produce significant health benefits. But walking is disproportionately dangerous for older adults. In 2000, pedestrians 65 and older accounted for 21% of the nation's pedestrian fatalities while making up only 13% of the U.S. population, according to National Highway Traffic Safety Administration data.

Some key questions are: how can walking be made safer for older pedestrians, and under what conditions does it make the most sense to encourage it?

Walking can enhance the health of older people beyond the traditional cardiovascular and muscular-skeletal benefits associated with exercising more. Some of the positive results include lowered risk of chronic disease, improved immune response and recovery, and decreased depression and anxiety. In addition, any policy that results in more walking and less driving creates benefits for the entire community by reducing congestion and its associated pollution and increasing foot traffic, which makes neighborhoods generally safer and more attractive.

Many aspects of the physical environment discourage seniors from walking. Among them, destinations are too far away; older pedestrians are more likely to be targets of criminals than younger adults; and crosswalks, sidewalks, and other pedestrian amenities are absent or are hard to use because they are in disrepair or inappropriately designed or scaled for older people.

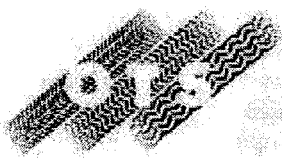
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Studies have shown older pedestrians incapable of crossing a street within the time normally allotted by a crosswalk signal. In one study of adults aged 72 and older, fewer than 1% could cross in the time given.

In addition, older people's physical limitations can make walking difficult. As evidence of the debilitation that can afflict the older of the old, nearly half of women older than 78 can't easily walk a few blocks, according to a Norwegian study. The implication is that, in many instances, older people can drive longer into old age than they can walk.



Once outside their cars, older people can be more vulnerable to injury or death if a crash occurs while they are on foot. One significant contributor to this heightened frailty is the decreased bone density that accompanies advanced aging in many people. The Federal Highway Administration reports that pedestrians 65 and older are two to eight times more likely than younger people to die after being hit by a motor vehicle.

Some research suggests that their physical limitations make seniors more likely to be involved in accidents than younger adults, because failing vision and other physical impairments can limit older pedestrians' awareness of their environment and slow their reaction times. Often, older people simply can't walk fast enough. Studies have shown older pedestrians incapable of crossing a street within the time normally allotted by a crosswalk signal.

In a study by Jean Langlois of adults aged 72 and older, fewer than 1% could cross in the time given.

Elements that can create safer environments for senior pedestrians include safe sidewalks, crosswalks, clear pedestrian signals, sufficient crossing time at intersections, benches for resting, reduced traffic speed, and traffic islands. Placing stores, services, and transit routes within walking distance of residential areas is another strategy that would make walking a more attractive option for older adults.

Implementing designs and policies that encourage seniors to walk may also encourage walking among other age groups, which would make streets safer for all pedestrians, including seniors. It might also encourage younger adults and children to establish the regular walking habits that will help them continue walking into older age.

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| The Honorable | | James | W | Kight | City of Troutdale | Cities of Multnomah County | 950 Jackson Park Rd. | | | Troutdale | OR | 97060-2114 |
| The Honorable | | Robert | | Drake ✓ | City of Beaverton | County | PO Box 4755 | | | Beaverton | OR | 97076-4755 |
| The Honorable | | Lou | | Ogden ✓ | City of Tualatin | Cities of Washington County | 21040 SW 90TH Ave. | | | Tualatin | OR | 97062-9346 |
| Mr. | | Fred | | Hansen ✓ | Tri-Met | Tri-Met | 4012 SE 17th Ave. | | | Portland | OR | 97202 |
| Mr. | | Neil | | McFarlane ✓ | Tri-Met | Tri-Met | 710 NE Holladay St. | | | Portland | OR | 97232 |
| Ms. | | Kay | | Van Sickle ✓ | ODOT | ODOT | 123 NW Flanders St. | | | Portland | OR | 97209-4037 |
| Mr. | | Bruce | | Warner | ODOT | ODOT | 355 Capitol St., NE | Room | | 135 Salem | OR | 97301-3871 |
| Ms. | | Stephanie | | Hallock ✓ | DEQ | Oregon DEQ | 811 SW 6TH Ave. | | | Portland | OR | 97204 |
| Mr. | | Andy | | Ginsburg | DEQ | Oregon DEQ | 811 SW 6th Ave. | Floor | | 11 Portland | OR | 97204 |
| Ms. | | Annette | | Liebe | DEQ | Oregon DEQ | 811 SW 6th Ave. | | | Portland | OR | 97204-1390 |
| Mr. | | Don | | Wagner ✓ | WSDOT | Washington State DOT | PO Box 1709 | | | Vancouver | WA | 98668 |
| Ms. | | Mary | | Legry | WSDOT | Washington State DOT | PO Box 1709 | | | Vancouver | WA | 98668 |
| Mr. | | Bill | | Wyatt | Port of Portland | Port of Portland | PO Box 3529 | | | Portland | OR | 97208 |
| Mr. | | David | | Lohman ✓ | Port of Portland | Port of Portland | PO Box 3529 | | | Portland | OR | 97208 |
| The Honorable | | Royce | E | Pollard | City of Vancouver | City of Vancouver | PO Box 1995 | | | Vancouver | WA | 98668 |
| Mr. | | Dean | | Lookingbill | RTC | SW Washington RTC | 1351 Officers Row | | | Vancouver | WA | 98661 |
| The Honorable | | Craig | | Pridemore ✗ | Clark County | Clark County | PO Box 5000 | | | Vancouver | WA | 98666-5000 |
| Mr. | | Peter | | Capell | Clark County | Clark County | PO Box 9810 | | | Vancouver | WA | 98666-9810 |

COMMITTEE TITLE JPACT

DATE August 8, 2002

NAME

AFFILIATION

Rod Monroe

Metro Council

FRED HANSEN

TRI-MET

Rex Barkholder

Metro Council

Kay VAN SICKLE

ODOT

Larry Haverkamp

Cities Mutt. Co.

Joanie Roberts

Mult. Co.

Don Wagner

WSDOT

Stephanie Hallock

DEQ

Roy Rogers

WASH. County

Rod Park

Metro Council

Brian Newman

Milwaukie

Andy Cochran

metro

Sarah Armstrong

DEQ

Clark Berry

Wash Co.

LAUREL WENTWORTH

POOT- PORTLAND

Dave Williams

ODOT

Mike Driscoll

PSU Engineering

Deborah Murdock

PSU

COMMITTEE TITLE JPACT

DATE August 8, 2002

NAME

AFFILIATION

Muse Labore

Part of Paddock

Cherie McGinnis

Clackamas County

Phil Selinger

TRI-MET

Mike Hodgson

Metro

Neil McFarlane

Tri Met

Gregg Lande

DEQ

L.A. ORNEVAS

OHSU

Sharon Nasset

~~NPBA~~ NPBA

Linda Floyd

City of Wilsonville

Karen Schilling

Multnomah County

ROBERT PAINE

MULTNOMAH COUNTY DIST #4

Loe Oeder

WASATA