

## NACE UPDATE

The almost bi-weekly newsletter for Board members & Committee Chairs  
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(Note: Sources of information include the AASHTO Journal, NACo staff, Senate and House publications, the Federal Highway Administration, and other association news journals)

### **NACE 2008 Conference Is Upon Us!**

Starting April 18<sup>th</sup> through April 25<sup>th</sup> the NACE offices will be closed since we will be at our annual conference in Portland OR. If you need to reach us contact the Doubletree Hotel Portland Lloyd Center at (503) 281-6111. Thanks and see you in Portland, Oregon!

### **Senate Clean Water Restoration Act raises more questions than**

**answers** <http://www.naco.org/Template.cfm?Section=Publications&template=/ContentManagement/ContentDisplay.cfm&ContentID=26994>

The nation's counties and county engineers told a Senate committee on April 9, 2008 that proposed legislation to enhance the Clean Water Act (CWA) would in fact result in significant unintended consequences for communities, increased costs, and would do little to improve the protection the country's precious water resources.

David Brand, an elected county engineer from Madison County, Ohio, testified before the Environment and Public Works Committee, chaired by Sen. Barbara Boxer (D-CA), on behalf of the National Association of Counties (NACo) and the National Association of County Engineers (NACE). The committee is considering legislation, the Clean Water Restoration Act (CWRA) (S. 1870) to expand the reach of the CWA by removing the word "navigable" from the definition of waters of the United States under the law's jurisdiction.

Brand said that counties "fully support the Clean Water Act" and noted the important role counties play in implementing it as partners with federal and state governments. However, Brand said, removing the word "navigable" from the definition in the new bill will have "expensive, far-reaching and unintended consequences" for counties.

"Counties are responsible for a wide range of activities designed to protect the health and well-being of their citizens," Brand said. "It is very likely that Clean Water Restoration Act may preempt some of these ingrained local land use decisions."

The bill would affect counties on many different levels, Brand said, especially through the U.S. Army Corps of Engineers' 404 permit program.

"There could be a limitless possibility of future federal permits required to allow counties to do things such as construct a new driveway or simply cross a swale on an individual's property," Brand said. He told the committee that counties are responsible for a number of manmade ditches, such as culverts, storm channels and road-side ditches and face tremendous challenges getting federal permits approved in a timely manner.

"My experience is that most permits get denied the first time and the total length is closer to 12 months than it is to three months," Brand said. "This is very different than the timeframes being quoted by the bill's sponsors. This is very problematic when debris clogs storm channels, which in turn floods homes."

Brand noted that state and federal money is sometimes tied to county road projects. "If a project is delayed due to delayed 404 permit approval, the county faces losing much needed money to complete a road project or at the very least yearly cost increases currently averaging 10 percent

per year. Additionally, the dollars associated with getting these permits can be costly, especially for a rural county who does not have the manpower, expertise, or the resources.” Brand said that the nation’s counties recognize that the current system far from ideal.

“Our counties would like to have certainty in the jurisdictional process and overall in the Clean Water Act,” he said. “However, we also recognize that a one-size-fits-all system will not work. Geographical features differ widely across this nation. Any federal plan needs to take into account these regional

### **State, County and Municipal Flexibility Urged for Next Transportation Bill**

State, county and regional transportation officials told members of the House Subcommittee on Highways, Transit and Pipelines Wednesday that giving them fiscal flexibility and fewer environmental impediments will go a long way toward providing multi-modal solutions and innovations to relieve metropolitan traffic congestion. They said current surface transportation programs house money in silos, but a strong federal presence will still be needed to assist states, metropolitan planning organizations (MPOs), counties and cities with transportation projects. A strong federal hand will also be needed to make sure these regions are tied together in a national transportation network. The current highway and transit authorizing legislation—the Safe, Accountable, Flexible and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) — expires Sept. 30, 2009. Preparation of a new authorization will be a top priority for the subcommittee and the full Transportation and Infrastructure Committee. Subcommittee Chairman Rep. Peter DeFazio (D-OR) noted that transportation challenges in metropolitan areas are particularly acute. Congestion in 2005 caused motorists 38 additional hours in travel time and 26 extra gallons of gas, according to the Texas Transportation Institute *Urban Mobility Report*. He said that 60 percent of all U.S. goods and services are generated in urban areas and 65 percent of the nation’s population lives in the 100 largest metropolitan areas, generating 75 percent of the country’s gross domestic product. DeFazio said a variety of approaches will be needed to improve mobility and make sure it is equitable for all income levels. Brookings Institution Metropolitan Policy Program Fellow Robert Puentes said the time is right for federal surface transportation policy reform. Contributing to the timeliness is the projected \$3.2 billion deficit to the Highway Trust Fund in Fiscal Year 2009; rising energy prices and the sentiment against foreign oil dependence; and concern about global climate change and greenhouse gas emissions.

Robert Yaro, president of the Regional Plan Association covering the New York, New Jersey and Connecticut area surrounding New York City, said the next long-term surface transportation program should address three initiatives to meet the needs of the country’s major urban areas:

- Asset protection and performance;
- A national infrastructure investment plan; and
- Metropolitan mobility starts.

The last of the three would provide additional resources, tools, flexibility and capacity building among MPOs and transportation agencies. King County (WA) Executive Ron Sims urged a “holistic” approach that looks at whole transportation systems. The county, which runs the Metro Transit system in the Seattle area, is using variable tolling in combination with increased transit services to reduce congestion and pay for infrastructure improvements along the Route 520 corridor. It teamed in the initiative with the Washington State Department of Transportation and the Puget Sound Regional Council, receiving \$127 million from the U.S. Department of Transportation’s Urban Partnership program. Ohio is faced with a loss of between \$140 and

\$400 million in federal transportation funds, affecting projects slated for 2009 and 2010, said the state's Assistant Director of Transportation Jolene Molitoris. She said SAFETEA-LU provides a 92 percent return on highway money, but only 51 percent in transit funding. She said transit is necessary for cities like Cleveland, where one in four residents don't own a vehicle. Sacramento Regional Transit General Manager and CEO Michael Wiley said the region is managing congestion through land-use planning. The Sacramento Area Council of Governments launched the Blueprint initiative. The area's Metropolitan Transportation Plan through 2035 approved last month provides 21 percent more in transit funding and a 35 percent increase in planning and programs. Bond initiatives approved by California voters in 2006 include more than \$20 billion for state and local transportation projects. Sacramento County voters also approved a 30-year .5 cent retail sales tax for county-wide transportation and clean-air initiatives. "A strong partnership between transit, the MPO and the DOT will ensure that these goals are reached in a much timelier manner and such partnerships need to be encouraged and rewarded by national policy," Wiley said. In his closing remarks, Transportation and Infrastructure Committee Chairman Rep. James Oberstar (D-MN) said, "We [the committee] want to do this right. We've gotten away from the 'I' in ISTEA [Intermodal Surface Transportation Efficiency Act of 1991]." Ron Kirby, director of Transportation Planning for the National Capital Region Transportation Planning Board of the Metropolitan Washington Council of Governments, also urged an integrated federal approach. He called for a mode-neutral discretionary program to replace the patchwork of federal modal programs and earmarks.

### **Paniati Named Federal Highway Administration Executive Director**

Acting Federal Highway Administrator Jim Ray announced the appointment of Jeffrey F. Paniati as the Federal Highway Administration's (FHWA) new Executive Director. This week, following the recommendation of U.S. Transportation Secretary Mary E. Peters, President Bush gave his final approval of Mr. Paniati's appointment. Paniati has played a leadership role in the U.S. Department of Transportation's Congestion Initiative, particularly the \$850 million Urban Partnership effort which advances the use of pricing to reduce congestion in major metropolitan areas. Since beginning his career with the FHWA in 1983, he has led efforts to use technology to reduce crashes, to enhance mobility in metropolitan corridors, to improve transit service for the disadvantaged and to enhance the efficiency of freight movement. He was instrumental in shaping the direction of the department's Intelligent Transportation System (ITS) program and fostered the nationwide deployment of 511. He was also responsible for initiating a partnership between the FHWA and the automotive industry to improve safety and mobility by connecting vehicles and the infrastructure. Previously, Paniati was the FHWA's Associate Administrator for Operations. He had also served as the Acting Director and Deputy Director of the ITS Joint Program Office, as Program Manager for Intelligent Transportation Systems and Division Chief for Safety Design Research and Development. He received his B.S. in Civil Engineering from the University of Connecticut and a Master's degree in Civil Engineering from the University of Maryland. Paniati is registered professional engineer in Virginia and has been a career member of the Senior Executive Service since 2000.

### **ATM Issues Report on Transportation and the Economy**

The U.S. transportation system is failing to keep pace with the demands of a 21st century economy and a piecemeal approach to improving the nation's transportation infrastructure no longer works, concluded a study released this week by the Americans for

Transportation Mobility (ATM) Coalition and the National Chamber Foundation of the U.S. Chamber of Commerce. “If the United States declines to invest in transportation infrastructure and ignores the transportation needs of key industry sectors, our economy will become less productive and less competitive,” warned ATM Executive Director Janet F. Kavinsky. “Without an adequate transportation system, the nation’s economic growth is at risk,” Kavinsky added. Meanwhile, global competitors have increased investment in transportation infrastructure. Economic powerhouses like China are building highways and rail lines, developing ports, and constructing airports while the U.S. transportation system erodes, the study said. As a result, “the margin of the U.S. competitive advantage is shrinking,” noted the study.

The study, *The Transportation Challenge: Moving the U.S. Economy*, attributed the poor performance of U.S. transportation system to the growing imbalance between supply and demand and the increasing age of the nation's infrastructure. Without investment guided by new policies, the U.S. transportation system will fall further behind the growing demand of five major economic sectors—agriculture and natural resources, manufacturing, retail, services, and transportation—that account for 84 percent of the U.S. economy. Given population growth, shifting demographics and steady economic growth, a high performance transportation system is a necessity. The U.S. population is projected to grow from 300 million today to 380 million people in 2035, while the economy is likely to double over the next 30 years, as is demand for freight transportation. These changing demographics create a more global, a more urban economy with a more diverse and aging workforce. Expanding demand and shrinking capacity for both freight and passengers across every mode of transportation raises fears about increased congestion, less reliability, and higher costs. The report urged policymakers to become much more strategic in planning and investing in the U.S. transportation system. “If we do not, our transportation system will become a competitive disadvantage for U.S. industries, and it will be harder to sustain the growth of our regions and the national economy,” the report said. The study made a number of recommendations to address the transportation problem.

- Greater emphasis on economic needs and issues, including attention to regional mobility, in formulating national transportation initiatives;
- Development of a national consensus among citizens, businesses, and political leaders on the importance of increased investment in transportation infrastructure;
- Immediate attention to the approaching deficit in the federal Highway Trust Fund;
- Greater emphasis on investments in a national freight transportation program that would implement highway, rail, and marine transportation improvements to benefit commerce;
- More public investment in infrastructure, using all potential revenue sources, including user fees and other revenues collected at different levels of government; and
- Increased use of financing and credit options including tax credits and public private partnerships, to leverage an estimated \$200 billion in private capital available for transportation infrastructure investment.

“We must act now,” Kavinsky emphasized. “This report’s findings demand a rapid response. We must develop and implement a comprehensive plan to build, maintain, and fund a 21st century transportation system equal to the demands of a rapidly changing world and a robust national economy. We have only one option: Invest now, or pay later.” A copy of the report and a report summary are available by visiting <http://www.uschamber.com/transportationchallenge>.

### **FHWA Updates Estimate of Jobs Created by Transportation Investment**

The Federal Highway Administration (FHWA) has updated its estimate of the number of jobs that result from transportation investment, to project that every \$1 billion of federal highway investment, plus the state match, supports 34,779 jobs. In 1997 an FHWA analysis determined that each \$1 billion of federal-aid highway expenditures, plus a 20-percent state share, supported 47,500 jobs. But as evidenced in every aspect of construction, inflation has also eroded the buying capacity of transportation dollars in terms of jobs. The Bureau of Labor Statistics Producer Price Index indicates that highway construction costs have increased 57 percent over the past decade. Analysts note that highway investment remains a significant source of jobs in the U.S. economy. Bill Buechner, Vice President for Research and Economics of the American Road

and Transportation Builders Association (ARTBA), estimates that as a result of increased highway investment at all levels of government, the number of related jobs has increased from 1.65 million in 1996 to 2.13 million in 2007. The FHWA analysis measures the impact of three types of employment:

- Construction oriented employment including all jobs created by construction firms that work directly on the project or those firms that provide materials such as asphalt, steel and concrete directly on site;
- Supporting industries' employment which includes those jobs not on site but that benefit directly from the project such as factory jobs. An example would be a job that provides the sheet steel to make the guard rails used on the project; and
- Induced employment which includes all of the jobs supported by consumer expenditures resulting from wages to "construction oriented" and "supporting industries" employment.

Highway Spending for Economic Stimulus Could Still Produce 626,000 Jobs Earlier this year as Congress considered enactment of an economic stimulus bill, AASHTO surveyed its members to identify projects that could be underway within 30-90 days. A total of 47 states and the District of Columbia responded, identifying some 3,000 "ready-to-go" projects worth \$18 billion. Using the latest FHWA analysis, \$18 billion in transportation investment would support more than 626,000 jobs. "As you evaluate ways to strengthen the American economy, transportation investment can have a powerful impact," said AASHTO Executive Director John Horsley. "The advantage is putting people to work, in a way that produces the lasting economic benefits of improving our transportation network."

### **NACE-3M SAFETY INITIATIVE OFF TO EXCELLENT START**

Announced in the February issue of NACE News, NACE launched an education website and companion grant (discount) program site aiding members in replacing traffic signs to meet new federal retroreflectivity standards recently released by the Federal Highway Administration (FHWA). Counties will be able to apply for one-time grants to significantly reduce the cost in their effort to improve reflective brightness of traffic signs and meet this important safety standard.

The NACE grant program, in partnership with 3M, the leading maker of reflective safety products, is designed to assist counties by:

- Building awareness of the new federal minimum reflectivity ruling;
- Providing financial incentive to replace non-compliant signs;

- Educating NACE members on compliance requirements;
- Providing training on sign assessment/management methods;
- Sharing best practices among NACE member counties.

The NACE Grant Program is off to an excellent start. Over 100 NACE members have already signed in and begun the application process. As of April 1st, twenty-five grants have been approved resulting in a reduction of 30% to 50% on the price of sheeting material for the grant recipients. The new FHWA ruling concerning retroreflective minimums requires that agencies address the need for higher performing signs. The grant is intended for those agencies that are currently using engineer grade material and desire to move to prismatic sheeting in conformance to the new minimums. The grant application is designed for the applicant to be able to sign-in and determine the savings based on the square feet of material needed prior to actually applying for the actual grant. Each NACE member county will be eligible for one grant to purchase 3M reflective signing material, either fabricated signs or roll sheeting, from participating independent sign fabricators. The criteria for receiving a NACE Grant are that the applicant be a member of NACE representing a local (county or city) agency and have a commitment to upgrading their signs from engineer grade (Type I, II) to a prismatic material (Type III, IV, IX, X or proposed Type XI). An agency can apply for only a minimum (500 sq. ft.) and there is no maximum amount. However the grant must be applied to one order and will need to be used within six months of date issued. Applications will be received through December 31, 2008. The NACE Grant provides substantial savings on sign sheeting materials that can be applied to purchasing roll goods directly from 3M or signs through a fabricator of the agency's choosing that uses 3M sheeting materials.

As a NACE member take this opportunity to apply for a grant and take advantage of the savings you can realize as you continue your efforts in providing safer roads for the motoring public. Learn more about the new retroreflectivity guidelines by visiting a specially prepared website at: <http://www.minimumreflectivity.org/index.asp>. Learn more about the grant program by visiting the NACE website at [www.countyengineers.org](http://www.countyengineers.org) and access the application site from the "Members Only" page (see top right side of page). If you need to obtain your ID and password or have any questions, contact the NACE office at [nace@naco.org](mailto:nace@naco.org) or call (202) 393-5041.

### **National Workshop on Highway Asset Inventory and Data Collection**

**This workshop is sponsored by AASHTO, TRB, NCSU, NCDOT and FHWA from September 24 – 26, 2008 at the Sheraton Imperial in Durham, NC. REGISTRATION IS NOW AVAILABLE on our web site located at: <http://www.itre.ncsu.edu/NCassetMgmtConf/location.html> (it works best if you copy this link and paste it into your browser's address bar)**

### **HUMAN FACTORS GUIDELINES FOR ROAD SYSTEMS, COLLECTION A: CHAPTERS 1, 2, 3, 4, 5, 10, 11, 13, 22, 23, 26**

[http://www.trb.org/news/blurb\\_detail.asp?id=8888](http://www.trb.org/news/blurb_detail.asp?id=8888)

TRB's National Cooperative Highway Research Program (NCHRP) Report 600A, Human Factors Guidelines for Road Systems, Collection A includes Chapters 1, 2, 3, 4, 5, 10, 11, 13, 22, 23, 26, which explore human factors principles and findings for consideration by highway designers and traffic engineers. The report is designed to help the nonexpert in human factors to

consider more effectively the roadway user's capabilities and limitations in the design and operation of highway facilities. Chapter 6 is expected in late 2008/early 2009. Additional chapters will be developed under NCHRP Project 17-41 according to the priorities established by the project panel and are expected in late 2010.

### **RESEARCH PAYS OFF: ASSESSING THE LOAD CAPACITY OF OREGON'S AGING BRIDGES**

[http://www.trb.org/news/blurb\\_detail.asp?id=8887](http://www.trb.org/news/blurb_detail.asp?id=8887)

Cracking is common in Oregon's Interstate-era reinforced concrete deck girder (RCDG) bridges. In 2001, of the 555 RCDG bridges owned by Oregon, 487 had structural cracks. By 2003, 140 bridges had load restrictions. At the time it was thought that billions of dollars would be needed to repair and replace bridges to maintain freight mobility and highway safety. However, in 2002, the Oregon Department of Transportation (DOT) contracted with Oregon State University to investigate the load capacity and fatigue damage of cracked RCDG bridges.

### **WARM-MIX ASPHALT: EUROPEAN PRACTICE**

[http://www.trb.org/news/blurb\\_detail.asp?id=8915](http://www.trb.org/news/blurb_detail.asp?id=8915)

The U.S. Federal Highway Administration has released a report on an international scan that examined various technologies for reducing the temperatures at which hot-mix asphalt is mixed and compacted in Norway, Germany, Belgium, and France. The May 2007 scan explored how and why agencies were implementing warm-mix asphalt technologies, how conventional hot-mix asphalt practice differs between the United States and various European countries, and how these differences might affect potential implementation of warm-mix asphalt in the United States.

### **SAFETY EVALUATION OF CENTER TWO-WAY LEFT-TURN LANES ON TWO-LANE ROADS**

[http://www.trb.org/news/blurb\\_detail.asp?id=8919](http://www.trb.org/news/blurb_detail.asp?id=8919)

The U.S. Federal Highway Administration has released a TecBrief that explores the safety effectiveness of center two-way left-turn lanes on two-lane roads, which are designed to reduce the frequency of head-on crashes and rear-end crashes involving a turning vehicle.

### **VIRTUAL SNOWPLOW TRAINING: STATE OF THE PRACTICE AND RECENT RESEARCH**

[http://www.trb.org/news/blurb\\_detail.asp?id=8909](http://www.trb.org/news/blurb_detail.asp?id=8909)

The Wisconsin Department of Transportation has released a report that explores the use and benefits of virtual snowplow simulators in snowplow driver training programs.