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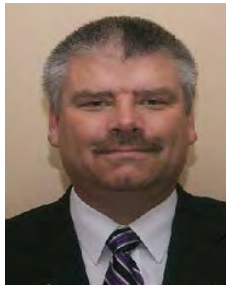
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Feb - Mar 2016

President's Report

By Duane Ratermann, PE
Knox County, Illinois



"Efforts and courage are not enough without purpose and direction." This is a powerful quote from John F. Kennedy, the 35th President of the United States.

The NACE Executive Committee gathered in Fredericksburg, Va., February 17-18, to continue our Strategic Planning efforts. Strategic planning is an organizational management activity that is used to set priorities, focus energy and resources, strengthen operations, establish agreement around intended outcomes / results, and assess and adjust the organization's direction in response to a changing environment.

This effort began a year ago with the NACE Executive Committee doing a SWOT analysis. We examined the strengths, weaknesses, opportunities and threats to NACE. The Executive Committee continued to work on the Strategic Plan in Charlotte, N.C., last July. During our discussion, it became very clear that NACE's current financial model was not sustainable and something needed to change; thus, the modifications to the dues structure.

This most recent Strategic Planning session in Fredericksburg gave us the opportunity to develop and refine our Strategic Focus Areas. The Executive Committee, with the guidance of the NACE staff, will continue developing the Strategic Plan with the intent of presenting a Plan at the Annual Conference in Tacoma, Wash.

On February 19-21, the NACE Executive Committee members participated in the NACo 2016 Legislative Conference, as many are also members of the NACo Transportation Steering Committee. With the passage of the FAST Act in December, the main discussion focused on the implementation of the new Federal highway bill.

The county priorities in the FAST Act are a direct result of our partnership with NACo that has developed in recent years. NACE members are now the technical experts that the NACo officials rely on. NACE recognized the importance of this partnership with a presentation of plaques to the NACo Transportation Steering Committee Immediate Past Chair, Hon. Jim Healy (Ill.) and present Committee Chair Hon. Peter McLaughlin (Minn.), NACo Immediate Past President Hon. Riki Hokam (Hawaii), and current NACo President Hon. Sallie Clark (Col.), as well as NACo Associate Legislative Director Jessica Monahan. It was truly an honor for me to participate in the recognition ceremony.

Finally, hopefully you're registered for the NACE 2016 Annual Conference April 24-28 in Tacoma, Wash. This year's Annual Conference promises to be a great one. We've added 2 new tracks: professional development and technology and are featuring a specific day for maintenance and operations staff on Monday. Both were also a result of last year's strategic planning sessions.

I look forward to seeing many of you in Tacoma!

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November 2016

President's Report

What's New at the Whitehouse

By **Brian Stacy, PE**
Pierce County, Washington



I know my patience runs low after long, drawn out political campaigns and I suspect I'm not alone in that. So for me, it's a relief that the process is finally over, so we can start to think about moving forward regardless of what side of the political spectrum we are on.

I'm also aware, after talking with many of my colleagues, there are some folks feeling anxious about what our future holds and how they may be affected directly or indirectly.

I think it's fair to say since both presidential candidates campaigned on platforms that promoted infrastructure, as county transportation officials we have reason to be optimistic. In fact, President-Elect Trump has spoken on many occasions about his desire to invest anywhere from \$.5 - 1 trillion in infrastructure improvements.

Even with a President who's repeatedly referred to our nation's crumbling infrastructure, we have the reality of the Legislative branch. Funding infrastructure improvements will require an act of Congress. Having both the Legislative and Executive branches controlled by the same party should result in an improved platform for cooperation, and hopefully agreement. But we still are faced with the harsh reality of how to pay for it.

Although the odds are long that we'll see an increase in the gas tax, we at NACE will still advocate for that, as we have in the past, hoping to bridge the gap until the nation becomes more willing to embrace a user fee approach of some type (miles driven, etc.).

A glimmer of hope is the stated desire to prioritize tax reform, which could hopefully include the Highway Trust Fund. Other financing discussions include repatriation of overseas funds, an infrastructure bank, private/public partnerships, and infrastructure bonds. These are all healthy discussions, but in the end it will be up to Congress to act.

The most promising element from our NACE perspective is streamlining and environmental reforms. Both the President-Elect and Republican Congress have voiced a desire to reduce "red tape" at the Federal level. NACE has positioned ourselves to support some common-sense-based changes in project delivery that will certainly help our members save time and money in their construction programs.

With a new Administration comes new Administrators. We've been fortunate with both Victor Mendez and Greg Nadeau as FHWA Administrators, as they've supported NACE over the years. We'll now have to build new relationships with the new Administration. Rest assured that we have outstanding relationships with the career managers that will remain and likely advise the incoming Administration.

Change brings uncertainty, but I believe NACE has the pieces in place to embrace the new Administration all while anticipating a successful outcome!

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Feb - Mar 2016

NACE Recognizes Commissioners for FAST Act Efforts

NACE honored several commissioners during the NACo Transportation Steering Committee, held in Washington, DC, during the NACo Legislative Conference on February 20-23.



L-R: Mark Servi (Barron County, Wis.), NACE Past President; Duane Ratermann (Knox County, Ill.), NACE President; Hon. Peter McLaughlin (Hennepin County, Minn.), NACo Transportation Steering Committee Chair; Richie Beyer (Elmore County, Ala.), NACE Past President and Legislative Committee Chair; Jennifer Monahan, NACo Transportation Legislative Director; Brian Roberts, NACE Executive Director; George Webb (Palm Beach County, Fla.), NACE Past President and NACo Director; Dan Fedderly, Wis. County Highway Association Executive Director; and Ramon Gavarrete (Highlands County, Fla.), NACE Immediate Past President.

NACE recognized NACo Transportation Steering Committee Chair Peter McLaughlin; the Honorable Jim Healy (Ill.), Riki Hokama (Hawaii), Sallie Clark (Col.), Peter McLaughlin (Minn.), and NACo Transportation Legislative Director Jessica Monahan, who were instrumental in their legislative efforts in the passage of the Fixing America's Surface Transportation (FAST) Act in December.

NACE President Duane Ratermann and Legislative Committee Chair Richie Beyer, thanked NACo for collaborating with NACE in advocating several provisions for county roads.

Since passage, the US Department of Transportation (DOT) has taken steps to implement the new "law of the land." Last month, DOT issued the formal apportionment notice and other documents that let states begin using funds allocated to their highway programs under the FAST Act. Additionally, the Department has started to post guidance, fact sheets and other information on its website.

Also of note, the Secretary has announced that DOT will publish a Notice of Funding Opportunity this month requesting applications of the new Nationally Significant Freight and Highway Projects (NSFHP) program. The NSFHP program was established under the FAST Act and is authorized a total of \$4.5 billion for FYs 2016-2020, including \$800 million for FY 2016. Specifically, DOT will be seeking transformative, nationally and regionally specific highway, rail, port and intermodal freight

projects that have an estimated total project cost in excess of \$100 million. Ten percent of authorized funding for this program will be reserved for small projects.

[DOT's NSFHP Fact Sheet](#)

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Feb - Mar 2016

Pre-Conference Workshop



Road Safety 365 for Local Governments

Sunday ~ 12:30 pm - 3:30 pm

Included in your NACE 2016 registration fee. Space is still available.

Local rural agencies will learn practical, effective ways to incorporate safety solutions into daily activities and the project development process. The workshop incorporates notable learning approaches for conveying information and conducting exercises.

How to Register

If you're registered for NACE 2016, email nace@naco.org to sign up for the workshop. If you haven't registered for the conference, select the workshop on the registration form.

Reality Check

Rural roads account for ~55% of fatalities in the US but have only ~40% of the vehicle miles traveled. The fatality rate for rural crashes is more than twice the rate for urban crashes.

Rural area crashes and their consequences differ from urban ones in several ways:

- Rural crashes are more likely occur at higher speeds.
- Rural crash victims are more likely to be unbelted than their urban counterparts.
- Rural crashes are more likely to produce fatalities due to longer response times.

Objectives

- Learn how to integrate safety solutions into local rural transportation projects at all stages of the project development process—planning, design, construction, implementation, operations, and maintenance via examples, case studies, and hands-on activities.
- Gain knowledge of practical guidance in identifying road safety issues and implementing low-cost countermeasures.
- Understand the benefits and potential cost savings of integrating safety improvements into daily operations and maintenance activities—not just on an occasional basis, but 365 days a year.
- Identify safety issues on their road network and the countermeasures and available resources to address them.
- Explain the need for making roads safer.
- Separate safety myths from reality.
- Demonstrate how to “read the road.”

- Describe practical and low-cost countermeasures to improve safety, both on existing roads and during the design stage.
- Identify ways to plan, implement and fund low-cost safety measures.
- Access existing resources to find the answer and data to address a question or problem that comes up on the job.
- Identify effective ways of encouraging communities to make their roads safer.

Who Should Attend?

Local rural decisionmakers to road crews.

- Primary: Road and public works supervisors.
- Others: Elected officials, public safety advocates, state departments of transportation personnel, law enforcement, consultants, regional and rural development organizations, municipal associations, town safety committees, local planning commissions, metropolitan/rural planning organizations, university extension offices, and Local Technical Assistance Program (LTAP) and Tribal Technical Assistance Program (TTAP) personnel.

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Feb - Mar 2016

NACE Welcomes New Northeast VP Tim Hens!



Timothy Hens, PE, has been elected by the directors of the NACE Northeast region as their Vice President, filling the vacancy left by the departure of Dave Brand.

Tim has been the Superintendent of Highways for Genesee County, N.Y. since 1998. He functions as the County Engineer and oversees highway and bridge maintenance, performs environmental health reviews, and administers the county airport, the parks, recreation and forestry department and oversees Facility Maintenance and Fleet Management. He has been the county's project manager for a \$52 million regional water system consolidation and several other multi-million dollar facility improvements throughout the County including the new Sheriff's Administration Building and Airport Terminal.

His past engineering experience includes transportation, facility and environmental engineering for the U.S. Air Force. He was a regional project manager for U.S. forces stationed in the Middle East, developed Final Governing Standards for environmental operations in Oman and worked closely with the United Nations in dealing with hazardous waste in Iraq.

Tim has been a member NACE since 1998. He has been the N.Y. State representative to the NACE Board of Directors since 2006 and has served on the Constitution and By-Laws Committee (Chair since 2013), Legislative Committee, Teller's Committee and the Membership Task Force. Tim has represented NACE at the Northeast Pavement Preservation Partnership Meeting on several occasions.

Tim received an appointment to the United States Air Force Academy in Colorado Springs, where he graduated with a degree in Civil Engineering in 1993. Upon graduation he was commissioned as a Second Lieutenant in the Air Force and served as a Civil Engineer until 1998, when he resigned his commission as a Captain. He obtained his Professional Engineering License in New York in 1999.

Tim is a Past-President of the N.Y. State County Highway Superintendent's Association and current member of the Executive Committee. He is an Associate Member of the American Society of Civil Engineers and serves as a professional development evaluator on behalf of the PIE Institute of N.Y.

He is also a Past-President of the Board of Directors for the GLOW Area Family YMCA and an award winning youth ice hockey coach. He lives in Le Roy with his wife, Eve, and their three children.

Join us in welcoming Tim to the NACE Executive Committee!

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Feb - Mar 2016

The 3 O'Clock Parade : Relationships Matter!

By **D.J. Buthe, PE**
Minnehaha County, S.D.



Often as county engineers and transportation officials, we get caught up in the technical or operational sides of our work and we lose track of one of our most important responsibilities... relationships. Of course we hold paramount the safety, health, and welfare of the public – but do our “engineering” personalities focus on that too much?

Hear me out before you throw your fresh new copy of NACE News in the trash! I recently read a story of the “3 o'clock parade.” The author did a wonderful job of describing a beautiful amusement park that features a fantastic parade for families every day at 3 p.m. However, a common question their team receives from guests is “What time is the 3 o'clock parade?”

Of course every engineer reading this is thinking clearly and concisely, “3 o'clock.” Team members at the park are coached that when they receive this question, the guest really wants to know some other information and that it is an opportunity to exceed their expectations.

From experience, the park knows that guests want to know where the best viewing locations are or when the parade will get to them, etc. Team members anticipate this desire and are able to make certain recommendations that enhance the guest's experience.

The team members in the story are taking the time to create a personal relationship with guests that they may never even see again. That formula works as an exceptional business model because we all like to feel cared for. If the team members simply scoffed “3 o'clock” at the obvious question, those guests would likely choose the park down the road for their next vacation. Families will go to the same park time and time again because they are in awe of how they are treated. Relationships matter!

What is your “3 o'clock parade?”

Here are a couple regular Q&A's from calls into my department:

Q: “The snow plows were out on my way home from work. When will they be at my house?”

A: “The plows should be there soon if they haven't been there already. We run 18 trucks that make loops about every 2-hours. Our plows operate from 5 am to as late as 9 pm.”



And my favorite, Q: “Why do our bridges cost so much to replace in S.D.? In Iowa, they build them for free with old railroad cars.”

A: “Call Brian K. at 555-867-5309. He's speaking about that at a conference near you soon!”

Giving a resident an extra minute to speak or helping them with useful information – even if it is for another jurisdiction's roadway – will most often make their day and you will have an advocate for life.

Shorting someone just one time may get you a letter to the editor or even a call into your board. Try to drop the “engineering” stereotype and focus on the relationship you're creating. Relationships matter!

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Let's Celebrate Counties!

National County Government Month in April is an annual celebration of county government.

This year's theme is Safe and Secure Counties. What a great opportunity to highlight your county's effective, safe roads, bridges, and public transportation to raise public awareness. We encourage you to promote the nationwide initiative of Towards Zero Deaths (TZD) and your county's programs and progress toward this.

NACo has provided a [TOOLKIT](#), including sample press releases and the logo for download.

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ATSSA Safety Training Courses for Counties



ATSSA, working under an FHWA Work Zone Safety Grant, has developed several training courses for local government agencies.

These courses are available upon request for \$25 per student with each class requiring up to 10 students.

These courses will be offered through September 15, 2016.

Call ATSSA today to schedule a course: Jena Rice at 540-376-3873.

The following courses are available for hosting by state and local governments, transportation and public agencies, or state departments of transportation (DOTs):

- Maintenance and Short Duration Activities (MSDA)
- Minimizing Worker Exposure in Highway Work Zones Through the Use of Positive Protection and Other Strategies
- Traffic Control Design Specialist (TCDS)
- Urban Work Zone Design (UWZD)
- Work Zone Data Collection (WZDC)
- Work Zone Road Safety Audits (WZRSA)
- Work Zone Strategies (WZS)
- Work Zone Traffic Impact Analysis (WZTIA)
- Designing Temporary Traffic Control Zones for Pedestrian Accessibility
- Smarter Work Zone ITS (SWZ) – Coming Soon
- Transportation Management Plan Training (TMP)

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Feb - Mar 2016

Sixth Circuit Court to Hear WOTUS

By DTN / Progressive Farmer



The U.S. Circuit Court of Appeals for the Sixth District in Cincinnati ruled it has jurisdiction to hear numerous legal challenges to the waters of the United States rule.

In the court's majority opinion, Judge David W. McKeague wrote that because federal district courts issued conflicting rulings on a number of cases last year, the Sixth Circuit should hear many of the challenges levied by states and a variety of industry groups, including those in agriculture.

The Sixth Circuit issued a national injunction of the rule last year, putting it on hold until legal issues could be resolved. Many legal experts believe the rule ultimately will be decided by the U.S. Supreme Court. In a ruling last year, the Sixth Circuit Court was highly critical of the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers in the development and finalization of the rule.

In the ruling Judge McKeague said it would make legal sense for the Sixth Circuit to consider the case. "The Clean Water Rule is intended to clarify the scope of 'the waters of the United States' subject to protection under the Clean Water Act," according to the court's ruling. "The act provides that certain specified actions of the EPA administrator are reviewable directly in the U.S. Circuit Courts of Appeals.

"...Many of the petitioners and other parties now move to dismiss the very petitions they filed invoking this court's jurisdiction, contending this court lacks jurisdiction to review the Clean Water Rule...Over the last 35 years, however, courts, including the Supreme Court and the Sixth Circuit, have favored a 'functional' approach over a 'formalistic' one in construing these provisions. These precedents support the agencies' position that this court does have jurisdiction.

"The district courts that have confronted the jurisdictional question in this litigation have arrived at conflicting answers. For the reasons that follow I conclude that Congress's manifest purposes are best fulfilled by our exercise of jurisdiction to review the instant petitions for review of the Clean Water Rule."

Judge Richard Allen Griffin wrote in a concurring opinion that he would have voted against EPA's motion to dismiss the cases in favor of allowing district courts to hear legal challenges, if it wasn't for a 2009 Sixth Circuit ruling in *National Cotton Council of America v EPA* where the court struck down a Clean Water Act permitting exemption of applying pesticides to water.

"I concur in the judgment holding that we possess subject-matter jurisdiction in this case; thus, I join in denying petitioners' motions to dismiss," Griffin wrote. "However, I do so only because I am required to follow our precedentially-binding decision, *National Cotton Council of America v. U.S. E.P.A.*, 553 F.3d 927 (6th Cir. 2009). Were it not for *National Cotton*, I would grant the motions to dismiss.

"Whether it is desirable for us to possess jurisdiction for purposes of the efficient functioning of the judiciary, or for public policy purposes, is not the issue. Rather, the question is whether Congress in fact created jurisdiction in the courts of appeals for this case. I conclude that it did not."

Dissenting Opinion

In his dissent, Senior Judge Damon J. Keith wrote believes the rule before the court is different from the issue at hand in the *National Cotton* case.

"While *National Cotton* expanded the scope of subsection (F) to cover rules 'regulating' or 'governing' permitting procedures, 553 F.3d at 933, it did not expand that subsection to cover all rules 'relating' to those procedures, such as the one at issue here," he writes, "a rule that merely defines the scope of the term 'waters of the United States.' That a rule 'relates' to a permitting procedure does not mean that it 'regulates' or 'governs' that procedure."

California-based attorney Paul Beard with Alston and Bird's environment, land use and natural resources practice group, said in

a statement to DTN/Progressive Farmer he believes the Sixth Circuit court reached the wrong decision.

Beard said, "... the court of appeals' decision to decide the merits of the challenge puts it on a faster track to the U.S. Supreme Court, where, because of the rule's national importance, this case will almost certainly land." Beard said the death of Supreme Court Justice Antonin Scalia could make it more likely for the rule to remain in effect.

"With Justice Scalia's untimely passing, the court's 5-4 balance in favor of robust review of sweeping environmental rules like the WOTUS rule is no more," Beard said. "And in the near time, it is not clear that the votes exist on the high court to make the right decision and set aside the rule."

Some 30 states have sued the EPA and the Army Corps of Engineers to stop the rule's enforcement. In a ruling last year the Sixth Circuit Court said it believes the plaintiffs have demonstrated their legal claims could be successful.

Exactly how long the stay will last is not known. The states and other plaintiffs have argued the federal government arbitrarily set distance limitations when determining adjacent waters, tributaries and "significant nexus" in the final rule, providing no basis in science. The court said EPA and the Corps of Engineers failed to identify "specific scientific support substantiating the reasonableness of the bright-line standards they ultimately chose."

Reprinted from the DTN / Progressive Farmer, February 23 issue.

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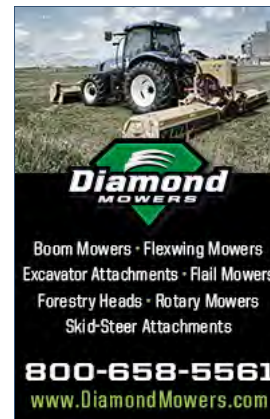
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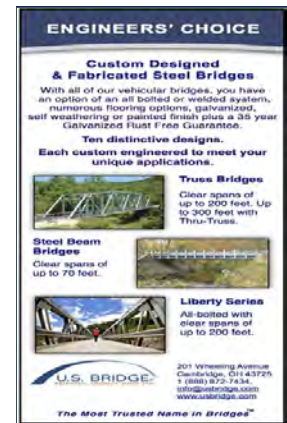
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Feb - Mar 2016

NYSCHSA Advocates Local Roads before NY Assembly



Jeffrey Griswold, President of the New York State Association of Town Superintendents of Highways, along with Michael Boesel, Palmyra Highway Department Superintendent, submitted testimony on behalf of both New York State County Highway Superintendents Association and New York State Association of Town Superintendents of Highways.

They urged lawmakers to support a significant increase in CHIPS funding as well as parity in funding between the MTA and DOT.

Joint Legislative Public Hearing on the 2016-2017 Transportation Executive Budget Proposal
Good afternoon Senator Young, Assemblyman Farrell and other members of the legislature. I am,

Jeffrey Griswold, President of the New York State Association of Town Superintendents of Highways (NYSAOTSOH) and the town of Preble Highway Superintendent.

With me representing the New York State County Highway Superintendents Association (NYSCHSA) is their President, Niagara County Commissioner of Public Works, Kevin O'Brien. We appreciate this opportunity to submit testimony for your consideration as you review the Governor's 2016-2017 Executive Budget.

We'd like to begin by thanking you, the members of the legislature for your steadfast support of local roads and bridges. As you know, our collective membership is responsible for ensuring the safe operation of 87 percent of the state's public roads, half of its bridges and plowing not only our huge system but over a quarter of the New York State Department of Transportation (DOT)'s roads. Every time there is a winter weather event, the hard working men and women on our local crews ensure New York's drivers get to and from work, homes, schools, hospitals and other destinations safely.

We are pleased to see Governor Cuomo propose increased funding levels in the Executive Budget for the NYSDOT capital plan and the new additional programs for local and state bridges and roads. Part of this proposed capital plan is a \$1B PAVE NY program to be split evenly between the state and locals. Another new program is \$1B BRIDGE NY to replace and rehabilitate bridges. Like PAVE NY, we have been told the monies for BRIDGE NY will also be split 50/50 between the state and the localities. However, it is imperative to note that this \$20.1B proposed five-year NYSDOT capital plan funding level is not enough to prevent the further deterioration of New York's highway and bridge system.

The Governor's proposal maintains the CHIPS funding level at \$438M and \$39.7M for Marchiselli but does not include the \$50M Extreme Winter Recovery money we received last year. There is also \$500M for an Extreme Weather Infrastructure Hardening program for investments in roadways statewide that are susceptible to flooding, but it is not clear how this funding would be distributed or if local roads are eligible for a fair share. Our associations support a five year allocation of \$3.7 billion (\$742 million annually) in CHIPS/Marchiselli funding and \$750 million (\$150 million annually) for a local bridge and culvert program.

State and Local Bridge Program

The Executive Budget includes a 5-year, \$1B BRIDGE NY program split between the state and localities. This proposal appears to be an improvement over the state and local bridge initiative that is part of the current budget. When the first two years of the 5-year \$750 million program was allocated, NYSDOT—who chose the projects without local input—split the number of state and local projects equally (23 are local bridges and 23 state-owned).

However, the state bridge projects total 55% of the funds and just two local-owned bridges in NYC accounted for 66% of the local bridge funding allocation. We're hoping that the new BRIDGE NY program is more effective in achieving regional balance and maximizing local decision making and flexibility which is why we are requesting the local BRIDGE NY funding be distributed through CHIPS.

We cannot emphasize enough the importance that both local portions of the PAVE NY and BRIDGE NY programs be distributed through the CHIPS formula and be funded with state dollars not federal funds. By using CHIPS as the funding mechanism for the local side of the program, every municipality across the state will benefit. The CHIPS formula is based on local highway mileage (for all municipalities) and motor vehicle registrations (for counties and NYC). This formula allows the local highway

superintendents and commissioners of public works, the experts in their localities to make decisions on what road, bridge and culvert rehabilitation and reconstruction is most important.

We are also pleased that the Executive Budget includes a five-year DOT Capital Plan which will allow long-term predictable funding levels and more effective planning. This fall, for the first time the administration did not release a DOT five-year capital needs analysis – which we believe to be in excess of \$28B. Traditionally, the funding levels for both the DOT and MTA systems were based on multi-year needs analysis and were released in advance of the adoption of their five-year capital programs.

MTA / DOT Parity

In the fall, Governor Cuomo and Mayor de Blasio announced an agreement to jointly subsidize the Metropolitan Transportation Authority's (MTA) nearly \$11B funding gap for its \$26.1B 2015-19 five-year capital program. While we are not clear on where the funding for this state commitment of \$8.3B will come from, we certainly appreciate this vital investment in downstate transit. We are hopeful that you and your fellow legislators can work with us to ensure that funding parity is restored between the Department of Transportation's (DOT) highway and bridge five-year capital program and the MTA's capital program, with each program receiving an equal level of funding (\$26.1B).

As you can see from the chart included in our testimony, three of the last four DOT/MTA five-year capital programs were virtually identical in size. In the early 1990's the Dedicated Highway and Bridge Trust Fund (DHBTF) was created to pay for the New York State Department of Transportation (NYSDOT) capital program and the Dedicated Mass Transit Trust Fund (DMTTF) to assist with the MTA and other transit system capital programs.

At that time, drivers statewide were asked to have a portion of their gas taxes and auto fees directed toward the DMTTF. Today, New York's drivers pay hundreds of millions of dollars annually to mass transit, about 90 percent of which goes to the MTA. In return for drivers' financial assistance to transit it was originally agreed that the DOT and MTA's five-year capital programs would be similar in size (parity) and would be negotiated simultaneously.

Having a five-year highway and bridge capital program that truly meets the needs of our state's residents is our top priority. We believe it is essential the MTA and DOT capital programs are equal and that a significant portion of the resulting additional funding be allocated directly to local highway departments throughout the state. To meet a greater portion of the critical needs of the local transportation system, we request a five year allocation of \$3.7 billion (\$742 million annually) in CHIPS/Marchiselli funding and \$750 million (\$150 million annually) for a local bridge and culvert program.

Local Systems' Needs are Great

The New York State Comptroller's studies indicate that a large number of road mileage is deteriorating and many bridges in the state are rated structurally deficient and functionally obsolete. According to a 2014 Comptroller's report, thirty four percent (34%) of bridges are deficient and forty-eight percent (48%) of road pavements are rated fair or poor and getting worse. The Comptroller estimates that there will be \$89 billion in unmet local infrastructure needs over the next 20 years, with much of this shortfall on the already deteriorating local transportation system.

In November of 2013, we conducted our own needs study of the local transportation system. The analysis determined that on average local governments (excluding New York City) should be spending \$2.32 billion annually on their highways and bridges. Currently these municipalities spend about \$1 billion annually on these facilities, leaving an annual shortfall of \$1.32 billion.

What Is Needed Now

In previous years, even in tough economic times, the Legislature has responded to the dire conditions of the state's transportation systems and augmented CHIPS and other local transportation funding but more is required. MTA/DOT parity will provide the funding needed to reverse the deteriorating conditions of our local transportation systems and make significant progress in its rehabilitation.

We are urging support for a significant increase for the CHIPS program to help all municipalities in the state extend the life of our assets and maintain our vast system; and an adequately funded local bridge and culvert program that will provide direct funding to local governments and add flexibility needed to address local conditions.

Our associations and the mutual constituencies and communities we serve appreciate the support of our state elected officials who partner with us to insure we all "get the job done" when it comes to providing the public with a safe and functional statewide transportation system; one that supports jobs and economic growth for our communities. We request that you and your Legislative colleagues make the same state funding commitment of \$26.1 billion to our roads, bridges and culverts as the Governor has pledged to mass transit.

We look forward to continuing working with you to make more state funding and resources available to meet the critical needs of our local transportation systems.

Thank you.

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Feb - Mar 2016

History Comes Alive as DOT Hosts 50th Anniversary Launch Ceremony

By Anthony Foxx
US Secretary of Transportation



When President Lyndon Baines Johnson prepared to name his first US Secretary of Transportation, he knew it would take a creative and intelligent leader to stand up the new Department of Transportation. And he knew that then-Under Secretary of Commerce Alan Boyd was the right man for the job.

Since then, 16 other men and women have taken the Oath of Office for that position, and they have continued down the path that Secretary Boyd blazed. It's a path toward greater safety and mobility, paved by listening to a diverse array of stakeholders from the public, private, and non-profit sectors - and made a lot easier by the professionals at DOT who serve the American people faithfully day in and day out.

On February 3, we were fortunate to have seven of them, including me, on the stage for the kickoff ceremony of our year-long 50th Anniversary celebration, and I can't thank them enough for joining us. We also were joined by Lynda Johnson Robb, daughter of President Johnson, and Deputy Postmaster Ronald Stroman, and I thank them, too!

We'll have an archived video recording of that ceremony available soon. But in the meantime, I hope you'll check out our new [50th Anniversary website](#), with fascinating documents about our Department's creation as well as a taste of what we're up to today.

I also hope you'll enjoy this video (<https://www.youtube.com/watch?v=xaq6JKJ5m8g>) we showed at today's ceremony. It's a thoughtful exploration of the Department and of life as a Secretary of Transportation. Thanks to the nine contributing Secretaries and the archival footage of President Johnson, it tells a pretty special story.

And, before we get to that video, I also want to thank everyone at DOT who contributed to today's powerful ceremony. This will be the talk of our DOT town for many days to come!

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Administration Proposes \$478B Transportation Bill

By Keith Lang, The Hill

President Obama is proposing legislation that would spend \$478 billion over the next six years to boost the nation's infrastructure.

Lawmakers have been discussing ways to pay for widespread improvements, including the possibility of increasing the 18.4 cents per gallon federal gas tax, to help fund new construction projects.

The White House said that Obama's transportation proposal could be paid by requiring companies who have investments overseas to return the money to the U.S.

The proposal, known as "repatriation," would require companies to bring back earnings to the United States at a 14 percent tax rate, generating an estimated \$238 billion in revenue for the government that could be used to pay for infrastructure improvements, officials said.

The White House said Obama's plan would keep the Department of Transportation's Highway Trust Fund, which is currently scheduled to run out of money in May, solvent for the next six years without asking drivers to pay more at the pump.

"The budget proposes to invest in infrastructure through a comprehensive six-year surface transportation reauthorization proposal, as well as tax incentives for State and local infrastructure investment, a new Infrastructure Bank, and other initiatives," the White House said in its budget document. "The federal government plays a vital role in infrastructure investment, and the nation's roads, bridges, and other surface transportation infrastructure systems are badly in need of upgrades and repairs."

Obama's transportation proposal calls for spending \$317 billion on U.S. roads and bridges over the next six years, including \$94.7 billion during the 2016 fiscal year. The plan also includes \$143 billion on federal transit projects and \$18 billion on freight improvements over six-year period. The infrastructure plan is included in Obama's \$4 trillion 2016 budget.

Transportation advocates have argued that raising the gas tax, which has not been increased since 1993, would be the easiest way to close the funding shortfall since prices at the pump have fallen to their lowest levels in years. The gas tax, which predates the highway system by about 20 years, has struggled to keep pace with infrastructure expenses in recent years as cars have become more fuel efficient.

The tax at the pump brings in about \$34 billion per year. The federal government typically spends about \$50 billion per year on road and transit projects, and transportation advocates have maintained that the larger figure is only enough to maintain the current state of U.S. infrastructure.

Critics have said the repatriation plan would cost the federal government more in the long run than it brings in for transportation projects. "Tax holiday proposals designed to pay for the transportation bill sound great until you look at the details," Senate Finance Committee Chairman Orrin Hatch (R-Utah) said last week after Sen. Rand Paul (R-Ky.) and Barbara Boxer (D-Calif.) released a plan that was similar to Obama's.

"After all, the Joint Committee on Taxation (JCT) has clearly detailed how a stand-alone temporary tax holiday would end up costing the government in the end," Hatch continued. "Saying you're going to use something that loses money to pay for anything is just wrong." The nonpartisan JCT has said that a tax holiday would generate about \$20 billion in revenue initially. The analysis said the plan would ultimately cost the federal government about \$96 billion, as companies would have more incentive to keep their profits abroad and wait for another tax holiday.

Supporters of the repatriation-for-roads plan see it as more politically viable than increasing the nation's the gas tax, despite the record low prices that drivers are currently paying when they fill up.

Tax and budget groups in Washington seem to share Sen. Hatch's skepticism about the idea of using repatriation to close the gap.

“A repatriation tax holiday would boost revenues in the first couple of years, as companies rushed to take advantage of the temporary low rate. But it would bleed revenues for years and decades after that,” the Center on Budget and Policy Priorities said in a blog post.

Reprinted from *The Hill*, February 2 issue.

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Rural Local & Tribal Road Safety Toolkit & User Guides Webinar Series

Getting the most from the Toolkit and User Guides to address safety on rural local and tribal roadways where fatal crash risk is 2.4 times higher than urban roadways.

Webinars will provide an overview of the safety toolkit and user guides along with presentations from practitioners who have used the toolkit and identified tools.

March 22

1:00 pm - 2:30 pm EST

Register for a webinar.

FHWA Toolkit for Rural, Local, and Tribal Road Safety provides a step-by-step safety analysis process along with the tools, examples and resources. Gone are the days of searching multiple websites or documents for information on rural road safety to make a meaningful impact on safety.

View the [Safety Toolkit](#).

For more information contact Rosemarie Anderson at rosemarie.anderson@dot.gov.


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Feb - Mar 2016

2nd National Pavement Preservation Conference in Nashville

October 11-14
Renaissance Nashville Hotel
Nashville, Tennessee

"Continuing the Drive for Change"

The conference will highlight techniques, practices and research that has evolved and been implemented since the first national conference in August 2012. In addition to the informative technical and informational sessions, the conference will again feature a live demonstration session schedule to occur on Wednesday of the event at the home of the Tennessee Titans, Nissan Field.

This is a unique opportunity to see many different pavement preservation applications placed side-by-side in a traffic-free, secure location.



Designed to serve as a forum for the AASHTO TSP•2 regional pavement preservation partnerships, the conference should draw representation from all state DOTs and many Canadian provinces. The pavement preservation partnerships include pavement professionals and practitioners from state agencies, contractors, suppliers, consultants, academia, and local and federal governments, all working together to take advantage of the synergy from sharing information and identifying common issues for further investigation.

There will be a total of 20 technical sessions, each with three presentations.

Track 1 – Pavement Preservation Best Practices & Technology

- Pavement Preservation Basics
- Safety Initiatives Showcase
- Quality Management
- Advancing the Technologies
- Pavement Preservation Best Practices

Track 2 – Sustainability

- Recycling & Reuse
- Environmental Impacts
- Economics
- Societal Benefits & Implications
- Sustainability Case Studies

Track 3 – Research, Training & Certification

- SPS-2, LTPP, NCHRP 14-33
- NCAT/MnROAD Studies
- LTAP Efforts to Advance Preservation
- Certification & Accreditation
- Emerging Technologies

Track 4 – Pavement & Asset Management

Agency Implementation of MAP-21 Asset Management and Pavement Performance Measures
Pavement Condition Data Needed for Preservation
New Technologies
Decision-making
Pavement Management: Putting the Data to Work

Exhibit and sponsorship opportunities are available.

The Renaissance Nashville Hotel, in the heart of Music City, is a short stroll away from Nashville's Country Music Hall of Fame, Wildhorse Saloon, Country & Western and Blues music clubs.

Stay tuned for further information on the conference.

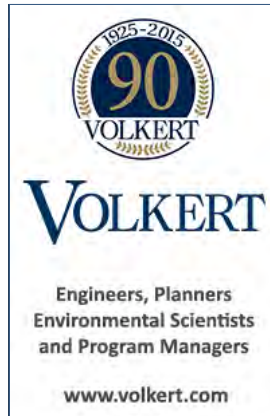
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2016 DOT TIGER Officially Out of the Cage

By Anthony Foxx
Secretary, US Department of Transportation



Seven times since 2009, this Department has unleashed our TIGER program across America. And seven times, this intensely competitive program has awarded grants to vital projects that improve transportation and provide real benefits to real people from coast to coast.

Today, at the annual legislative conference of the National Association of Counties, I announced that \$500 million will be made available for our 2016 TIGER grants.

I could not have announced these innovative grants in front of a more appropriate group because one thing that TIGER does is award funding to project sponsors – like America's counties – who often find themselves locked out of the traditional transportation infrastructure funding process. Just as it helps the States respond to citizens, TIGER also helps front-line local governments respond to their residents.

Like the first seven rounds, 2016 TIGER discretionary grants will fund capital investments in surface transportation infrastructure and will be awarded on a competitive basis for projects that will have a significant impact on the nation, a metropolitan area, or a region.

What does this mean? First, it means we cannot – by law – fund planning or design work except where such work is part of an overall capital construction project. Second, the capital projects funded will generate economic development and improve access to safe, reliable, and affordable transportation. And third, as always, we will award TIGER funding to urban, rural, and tribal projects.

This program has enabled us to support significant infrastructure improvement over the past seven years. Since 2009, DOT's TIGER has provided nearly \$4.6 billion to 381 projects in all 50 states, the District of Columbia, and Puerto Rico, including 134 projects to support rural and tribal communities. TIGER grants also help project sponsors leverage private sector, state, local, MPO, transit agency, and port authority investment.

During the previous seven rounds combined, we received more than 6,700 applications seeking more than \$134 billion. So demand for this round of TIGER is likely to be overwhelming and the competition steep.

I look forward to seeing this year's projects. And with the April 29 application deadline a little more than 2 months away, I won't have to wait too long.

Read more about [TIGER Grants](#).

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Feb - Mar 2016

Full-Depth Reclamation Webinar



Hosted by TRB : Lessons Learned from 10 Years+ of Using Full-Depth Reclamation for Road Rehabilitation

March 9
1:00 PM - 3:00 PM EST

Lessons learned from more than 10 years of using Full-Depth Reclamation (FDR) to rehabilitate deteriorated pavements.

This webinar will discuss experiences and identify mechanisms for ensuring that problems are not repeated on future projects.

Presenters

David Jones, University of California, Davis
Tom Scullion, Texas A&M University
Becca Lane, Ministry of Transportation Ontario
Brian Diefenderfer, Virginia Department of Transportation
Moderated by: David Jones, University of California, Davis

Outline

Full Depth Reclamation Overview
FDR in California: Thick asphalt pavements
FDR in Texas: Clay subgrades
FDR in Canada: Cold climates
FDR in Virginia: Interstate highways
Question and answer session

The Registered Continuing Education Program (RCEP) categorizes this webinar activity as relating to health, safety, and welfare including core technical.

Learning Objectives

Understand how long-term FDR programs have been used to refine pavement designs, mix designs, and specifications.

Registration

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- CRP panel members who were involved with developing the report or project that is the subject of the webinar;
- Members of the media;
- Employees of tribal governments; and
- Members of Congress or their staff.

Others must pay \$89 per site.

Professional Development Hours

A certificate for 2.0 Professional Development Hours (PDHs) will be provided to Professional Engineers (PEs) who register and attend the webinar as an individual. For groups, only the person that registers and attends the session will receive a PDH certificate.

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