

Current Issue

News Archives

2016 June

- President's Report
- Bills Block WOTUS Rule
- Center for Rural Road Safety Finds Success
- Environmental Impact on PW Projects
- Free Webinar on LRSPs
- Free Training for Local Agencies
- Overtime Rule Impacts Counties
- Supreme Court Rules Against Corps
- Public Works Caucus Formed
- Communicating with Elected Officials
- Don Thiessen Receives Service Award
- Sec. Foxx Sees Tsunami of Change
- Going Non-Stop in Minn.
- House Forms Public Works Caucus
- Lessons Learned on Rumble Strips
- Wisconsin Holds Line on Tax Hike

June 2016

President's Report

What Have You Done for the NACE Organization Lately?

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



Ok, that's a bit harsh I admit, but there is a point behind my question.

In our profession, there are many opportunities to put our heads down and simply get the daily work done. I suspect to most of us, work tasks seem to form an endless pile on our desks in addition to what certainly feels like an unmanageable volume of emails!

We all have full time jobs long before we decide to participate in a professional association, right? Perhaps your leadership, colleagues or maybe even subordinates question the value you add to your home county by spending your limited time and resources supporting the association.

Most of you are part of your state association and I suspect it operates much like a microcosm of our national association. The state associations can provide challenges, opportunities, benefits, and yet I venture to guess you have a core group of officers and members that are significantly involved, but the vast majority aren't really pulling their weight. Maybe they show up to the summer conference or a training session or two, but by and large the bulk of the heavy lifting is done by the core group.

So what if your state association was able to reverse the trends and instead of the minority of folks supporting it, they had the majority participating? We could all agree that that particular association would certainly be stronger, more influential, and likely an entity that elected officials and others would turn to as their experts. They would advocate for that association and want them involved in critical decisions affecting our area or expertise.

I would suggest that NACE is very similar to the state association I described above, just larger in scale in most cases. We have a very committed group of officers, a talented yet small staff, and then a core group of folks that stay active primarily within our committee structure.

Back when I was President Elect, I was charged with reaching out to our membership to request that volunteers serve on our various committees. We emailed our membership on several occasions. As your newly inducted President, I had the privilege of reviewing the applications and putting together the best teams for our committees.

Although the data pool was complex, the one principle I tried to stay with was providing all of you at least your highest ranked priority. That became a challenge in those committee structures requiring regional equity. In some instances, we also had significant interest in certain committees (Pavement Preservation being one of them) wherein lots of members chose that as their first option. Conversely, there are likely some of you out there kicking yourself after reading this article because you forgot to submit your applications. If you have a burning desire to participate even at this date, shoot me an email or give me a call I'm sure we can work something out.

View [NACE Committee Rosters](#).

For the rest of the members, I think you'll be pleasantly surprised with the value you will get from your experience and the opportunities presented for your home county that would have never occurred had you not raised your hand! Plus, you'll be amazed at the talent level of the individuals serving with you, the passion they have to do great work for their counties, and how bright they all are.

There really isn't a day that goes by where I can't look back through in interaction with a fellow NACE member where I haven't learned something. It may be a tough experience they had in a particular situation that I don't want to repeat, but that, in and of itself, is valuable to me.

So whether your skill set revolves around Pavement Management, Structures or Emergency Preparedness, thank you for supporting NACE and volunteering with what I know is your precious time. Our organization can really use your help, so isn't it time your shared expertise with an organization that is poised to do great things!!

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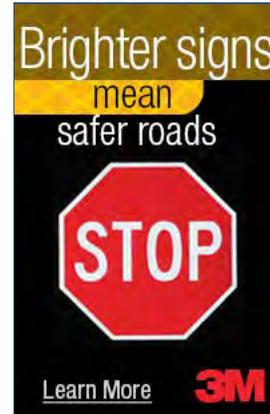


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Current Issue

News Archives

2016 November

- President's Report
- NACE 2017 : Sip 'n Swim with the Sharks
- Free TZD Webinar
- Transportation Funding at the Ballot Box
- CDR Maguire Providing ABC Solutions
- LEAP Program for Federal Aid Funds
- House Committee Critical of WOTUS Rule
- 1000 Year Flood in Louisiana
- Call for NACE Officers
- Award Nominees Due Jan 20
- NACo Analysis of Elections
- TSP2 Partnership Meetings
- Safety Certification Program Announced
- Complete the Bridge Scour Survey
- Low Volume Roads Webinar
- President Elect Trump Prioritizes Transportation
- Improve an Unsignalized Intersection

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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Current Issue

News Archives

2016 June

- President's Report
- Bills Block WOTUS Rule
- Center for Rural Road Safety Finds Success
- Environmental Impact on PW Projects
- Free Webinar on LRSPs
- Free Training for Local Agencies
- Overtime Rule Impacts Counties
- Supreme Court Rules Against Corps
- Public Works Caucus Formed
- Communicating with Elected Officials
- Don Thiessen Receives Service Award
- Sec. Foxx Sees Tsunami of Change
- Going Non-Stop in Minn.
- House Forms Public Works Caucus
- Lessons Learned on Rumble Strips
- Wisconsin Holds Line on Tax Hike

June 2016

Senate, House Interior Spending Bills Block WOTUS Rule, Fully Fund PILT

By NACo's Julie Ufner, Chris Marklund

Both the House and the Senate appropriations committees have passed their versions of the FY17 Interior, Environment and Related Agencies appropriations bill, often referred to as the Interior bill.

The overall funding level for both bills is approximately \$32 billion, a decrease from FY16 enacted levels. Of particular interest to counties, both the House and Senate Interior bills propose full funding of \$480 million for the Payments in Lieu of Taxes (PILT) program and include legislative language to prohibit implementation of the "waters of the U.S." rule.

Within the Department of the Interior (DOI), both bills provide a slight increase over FY16 for the National Park Service, with the Senate proposing \$2.74 billion and the House proposing \$2.9 billion in FY17.

For the Bureau of Land Management (BLM), the Senate proposed a \$6 million increase over last year to \$1.24 billion, while the House proposed a \$10 million funding decrease to \$1.2 billion. Both chambers propose modest cuts to the FY17 budget of the U.S. Fish and Wildlife Service (FWS) to a final spending limit of approximately \$1.5 billion.

The Forest Service, which is under the U.S. Department of Agriculture, would receive \$5.2 billion in the FY17 Senate bill and \$5.3 billion in the House bill. Both proposals would fully fund the 10-year average for wildfire suppression costs and include targeted funding for wildfire fuel reduction.

Under both the House and Senate bills, funding for EPA would be slashed. The House version would allot EPA \$7.98 billion, which is \$64 million less than FY16 levels and \$291 million less than the Administration's request. The Senate bill would fund the agency at \$8.1 billion, which is \$31.2 million below FY16 enacted levels.

The fate of both Senate and House Interior bills remains uncertain. The annual legislation has become a lightning rod for controversial issues, including floor fights over funding levels and hotly contested environmental policy riders from both sides of the aisle.

Key provisions of interest to counties within the bills include:

PILT: Both Senate and House Interior bills propose to fully fund the PILT program in FY17 at a level of \$480 million. The PILT program was created in 1976 to offset costs incurred by counties for services provided to federal employees and families, the public and to the users of public lands.

Wildland Fire: Both bills include full funding for wildland fire suppression costs at 100 percent of the 10-year average. The Senate bill also includes legislative language supported by NACo that would provide a budget cap adjustment when wildland fire suppression costs exceed available funds, preventing the practice known as "fire borrowing" in which other government accounts are raided in order to pay wildfire suppression costs. Both House and Senate bills include additional targeted funds to support proactive hazardous fuels reduction across the federal forest system.

Sage Grouse: Both House and Senate Interior bills include provisions to extend a one-year delay of Endangered Species Act (ESA) listing decisions for the Greater Sage Grouse. The House Interior bill includes a \$12 million increase for the Bureau of Land Management to support Sage Grouse conservation activities within the BLM while avoiding broad, sweeping land use restrictions; a similar provision in the Senate bill would provide a \$10 million increase.

Planning 2.0: During the House Appropriations Committee's markup of the Interior bill, an amendment was offered by Rep. Mike Simpson (R-Idaho) that would withhold funding to implement the BLM's Planning 2.0 rule until BLM has reopened the public



comment period for an additional 90 days and has held in-person public meetings on the rule in each of 12 affected Western states, Texas and Oklahoma. NACo and many county governments continue to express concerns over the limited amount of time county governments were given to provide meaningful input on the BLM's proposed rule.

Land-Water Conservation: The House bill provides \$322 million for LWCF programs, a reduction of \$128 million below the FY16 level and \$153 million below the president's request. Within LWCF funds proposed by the House, state and local recreation and battlefield preservation programs are prioritized, with State Conservation Grants receiving \$71.8 million in FY17 and \$10 million for battlefield protection. The Senate bill includes \$110 for State Conservation Grants and \$10 million for battlefield protection.

Water Infrastructure Funding: The Senate bill contains more than \$2.37 billion for the Clean Water (CW) and the Drinking Water (DW) State Revolving Funds (SRF) program. This is an increase of \$113 million over FY16 levels. Specifically, the CWSRF would receive \$1.35 billion and the DWSRF gets \$1.02 billion.

Under the House bill, CWSRF and DWSRF programs would receive a combined sum of \$2.07 billion, of which \$1 billion would be allotted to the CWSRF, and DWSRF would receive \$1.07 billion.

NACo supports funding for both CWSRF and DWSRF programs. The CWSRF program funds municipal wastewater infrastructure construction or project upgrades, and the DWSRF program supports Safe Drinking Water Act infrastructure projects.

Both bills also include funding for the Water Infrastructure Finance and Innovation Act (WIFIA), which was enacted in 2014 but not funded. WIFIA is a five-year financing program that allows EPA to provide direct loans and loan guarantees for the construction of large water infrastructure projects.

For the first time, both the Senate and House appropriations bills fund WIFIA. The Senate allots \$30 million and the House proposes \$50 million. NACo supports funding WIFIA because it has the potential to significantly lower water infrastructure costs for large projects.

Leaking Underground Storage Tank Program: The Leaking Underground Storage Tank (LUST) Program provides grants to the EPA and states to undertake cleanup responsibilities around abandoned gasoline and petroleum storage sites. The House version of the Interior bill provides \$68 million for the LUST program.

The Senate bill provides close to \$66 million for LUST cleanup. NACo supports full funding for the LUST program if those funds are used for their intended purpose of remediating and preventing further contamination caused from underground storage tanks.

"Waters of the US" (WOTUS): Last year, the U.S. Army Corps of Engineers and the EPA finalized controversial new definitions for "waters of the U.S." within the Clean Water Act. NACo has expressed multiple concerns over the rule's impact on county-owned and maintained roadside ditches, bridges, flood control channels, drainage conveyances, and wastewater and stormwater systems and has called for the final rule to be withdrawn until further analysis and more in-depth consultation with state and local officials can be completed.

Both the House and Senate bills contain provisions to prohibit EPA from acting on its WOTUS rule. The provisions would prevent the EPA from moving forward to "implement, administer or enforce" the rule even if the federal court system were to lift its stay on the rule.

The House Energy and Water Appropriations bill, which funds U.S. Army Corps of Engineers (Corps) and Department of Energy programs, has a similar provision preventing the Corps from enforcing the WOTUS rule.

The FY17 Interior bill is one of the 12 annual spending bills that must be passed each year by Congress to fund federal government operations. The bill gives money to federal land managers under the U.S. Department of the Interior and the U.S. Forest Service as well as U.S. Environmental Protection Agency and many other agencies.

Reprinted from NACo County News, June 27 edition.

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Current Issue

News Archives

2016 June

- President's Report
- Bills Block WOTUS Rule
- Center for Rural Road Safety Finds Success
- Environmental Impact on PW Projects
- Free Webinar on LRSPs
- Free Training for Local Agencies
- Overtime Rule Impacts Counties
- Supreme Court Rules Against Corps
- Public Works Caucus Formed
- Communicating with Elected Officials
- Don Thiessen Receives Service Award
- Sec. Foxx Sees Tsunami of Change
- Going Non-Stop in Minn.
- House Forms Public Works Caucus
- Lessons Learned on Rumble Strips
- Wisconsin Holds Line on Tax Hike

June 2016



National Center for Rural Road Safety

Broader Access to Safety Resources, Technical Assistance

By Carla Little, National Center for Rural Road Safety

Looking back on its first year in operation, the accomplishments of the National Center for Rural Road Safety (Safety Center) include successfully standing up its core services and expanding access to critical road safety resources and training. Sponsored by FHWA, the Safety Center serves local, State and tribal road agencies that operate and manage rural roads.

The Safety Center's philosophy is to empower these agencies with the most effective safety tools and strategies that are currently available so they can improve safety, reduce injuries, and save lives.

"To accomplish this vision, our short-term goals were to create a useful center, connect with potential users, and to begin to communicate effective methods and strategies for improving safety," said Safety Center Director Steve Albert. "We're proud to say that we achieved all three of these goals."

Albert points to a number of specific accomplishments that help to illustrate how the Safety Center is making a difference:

A Digital Gateway

The Safety Center website, <http://ruralsafetycenter.org/>, is a centralized, easy-to-access resource that contains issue briefs, updates on noteworthy practices by other agencies, a repository of training resources and guidance documents, and a calendar of upcoming training and related events. Less than a year old, the website has had more than 13,000 views by nearly 3000 visitors.

Successful Monthly Webinars

The Safety Center has hosted four popular webinar training sessions with presentations by national experts on systemic safety, organizational culture, and rural signage. On average, more than 100 attendees from around the country have participated in each event, and 119 attendees have received Continuing Education Units or Completion Certificates. The webinars are archived on the Safety Center website <http://ruralsafetycenter.org/training-education/safety-center-trainings/archived-safety-center-trainings/>, so they are easily accessible on an ongoing basis.

Original Videos

In order to offer customized, multimedia training options, the Safety Center is developing original training videos. In January, it released its first training video, "Introduction to Road Safety Culture," available at <http://ruralsafetycenter.org/resources/multimedia>, which has already been viewed almost 150 times. A second training video on road safety audits on tribal lands is currently under development.

National Summit

The Safety Center spearheaded the development of the Moving Rural America Summit, a National working Summit on Transportation in Rural America that will be held in September 2016 in Denver, Col. The summit will bring together stakeholders from around the country and allow the Center and its partners to make a meaningful contribution to national transportation policy and initiatives. Registration for this summit is now open at <http://www.cvent.com/events/national-working-summit-on-transportation-in-rural-america/event-summary-c462978995ee4f9b9d9818cf010345e5.aspx>.

Technical Expertise and Assistance

The Safety Center team offers expertise and assistance on a broad range of safety issues. Over the last year, staff members have been invited to represent the Safety Center at nationally prominent safety and rural transportation forums sponsored by NHTSA, NADO, and the National Operations Center of Excellence.

FHWA "Extension"

As an FHWA-sponsored program, an overarching goal for the Safety Center has been to support the development of rural safety resources and extend the reach of FHWA's services. The Safety Center has broadened marketing efforts for FHWA's existing toolkits and training, and it is currently in the process of updating and expanding FHWA's Rural Intelligent Transportation System (ITS) Toolbox and the Road Safety 365 training for local government. These efforts, combined with outreach and training activities, make it possible for FHWA safety resources and assistance to reach more road agencies than ever before.

With a solid foundation of programs in place, the Safety Center is well positioned to continue and expand on its successful initiatives.

The National Center for Rural Road Safety is sponsored by the U.S. Department of Transportation Federal Highway Administration. It is managed by a team of transportation experts at the following entities: the Western Transportation Institute at Montana State University; the Center for Advanced Infrastructure and Transportation at Rutgers University; the Institute for Transportation at Iowa State University; Cambridge Systematics; IDT Group; and Bubar and Hall Consulting, LLC; in cooperation with the Local Technical Assistance Programs (LTAPs) of Iowa, Louisiana, Montana, and New Jersey.

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Current Issue

News Archives

2016 June

- President's Report
- Bills Block WOTUS Rule
- Center for Rural Road Safety Finds Success
- Environmental Impact on PW Projects
- Free Webinar on LRSPs
- Free Training for Local Agencies
- Overtime Rule Impacts Counties
- Supreme Court Rules Against Corps
- Public Works Caucus Formed
- Communicating with Elected Officials
- Don Thiessen Receives Service Award
- Sec. Foxx Sees Tsunami of Change
- Going Non-Stop in Minn.
- House Forms Public Works Caucus
- Lessons Learned on Rumble Strips
- Wisconsin Holds Line on Tax Hike

June 2016

Environmental Impacts on Public Works Projects

By **Derin Campbell, PE**
Boone County, Missouri



During a few weeks recently, I had two bridge replacement sites identified as to contain possible bat habitat. This placed a restriction of only being able to remove trees, any tree, between the dates of March 31 to November 1. This works out to 60% of the year.

Since I knew there would probably be inquiries by my commissioners, landowners, and the travelling public regarding the delay, I started researching the issue. By contacting the office of the Corp of Engineers who issued the permit, I learned that there was an alternative to the imposed restriction. A habitat study could be conducted. First, to determine if the actual proper habitat actually exists and second, to verify the presence of bats on the endangered species list.

The next step would be to contact US Fisheries and Wildlife to obtain a list of approved consultants that do bat studies. The habitat study consists of delineating the limits of "impact" followed by identifying possible trees, serving as possible habitat, inside those limits. Any potential habitat is inspected closely for sign of bats. Should nothing be found, the consultant can submit the finding to Fisheries and Wildlife and request the permit restrictions be removed.

However, should potential habitat be identified in the "impact" zone, the County then has a few options. For county bridges, the tagged trees usually only equal 2-4 trees. Given this, the County can then remove the tagged trees individually during the permitted dates and the rest of the site cleared during the project.

The second route is to opt to pay for an acoustic study, involving placing some instruments that can detect acoustic bat noises at night. The instruments are in place for two nights. If no activity is detected, the findings can be submitted to Fisheries and Wildlife.

If clearance is received for tree removal, then the County needs to be ready to mobilize immediately as the habitat needs to be removed quickly after it has been determined to not be inhabited. However, if the results of the acoustic study are positive, then nets can be installed to capture the bats to log what species is actually inhabiting the area.

If the bats captured are not of the concerned species listed in the permit, then apparently it's okay to quickly remove the habitat. If the logged species is the species listed in the Corp permit, then the bats are tagged with tracking devices for further study and the trees can only be removed during the approved dates.

Apparently this whole clearance process can take up to a year. At the root of the process above, concern over potential habitat of an endangered species has been placed in front of safety for the travelling public safety. This is just one of the many reasons why NACE, for the past two years, lobbied for language exempting projects costing less than \$5 million to be placed in the FAST Act. Alas, it is not necessarily the language in the act but the implementation.

Case in point, the permit I received stated "if substantial habitat is identified..." I do not consider 2-4 trees substantial. Meanwhile construction of the bridge, often to replace a structurally deficient structure waits in the wings...so to speak.

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Current Issue

News Archives

2016 June

- President's Report
- Bills Block WOTUS Rule
- Center for Rural Road Safety Finds Success
- Environmental Impact on PW Projects
- Free Webinar on LRSPs
- Free Training for Local Agencies
- Overtime Rule Impacts Counties
- Supreme Court Rules Against Corps
- Public Works Caucus Formed
- Communicating with Elected Officials
- Don Thiessen Receives Service Award
- Sec. Foxx Sees Tsunami of Change
- Going Non-Stop in Minn.
- House Forms Public Works Caucus
- Lessons Learned on Rumble Strips
- Wisconsin Holds Line on Tax Hike

June 2016

NACo Webinar : Saving Lives through Local Road Safety Plans

June 30 ~ 2:00 PM – 3:15 PM EDT

Join us on this interactive webinar to learn about Local Road Safety Plans (LRSPs), and how your county can benefit from the development and implementation of one. Federal, state, and local transportation experts will discuss the recognized positive impacts LRSPs have on local road safety through collaboration with safety stakeholders, building awareness and correlation with the State Strategic Highway Safety Plans (SHSP).

LRSPs are designed to build on the foundation established by the SHSP. They can also provide the basis for systemic implementation of safety measures across the entire jurisdiction. This presentation will provide an overview of LRSP with a focus on (1) the “why” of developing Local Road Safety Plans; (2) the benefits realized and (3) different approaches to the development and implementation of the plans. This webinar is being presented with support from the sponsors of the NACo Community and Economic Development program.

[Register here.](#)

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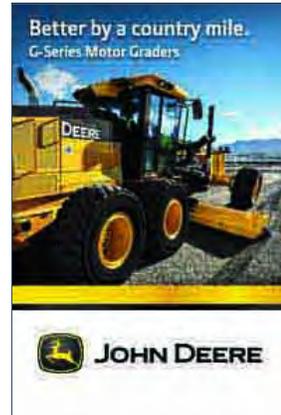


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Current Issue

News Archives

2016 June

- President's Report
- Bills Block WOTUS Rule
- Center for Rural Road Safety Finds Success
- Environmental Impact on PW Projects
- Free Webinar on LRSPs
- Free Training for Local Agencies
- Overtime Rule Impacts Counties
- Supreme Court Rules Against Corps
- Public Works Caucus Formed
- Communicating with Elected Officials
- Don Thiessen Receives Service Award
- Sec. Foxx Sees Tsunami of Change
- Going Non-Stop in Minn.
- House Forms Public Works Caucus
- Lessons Learned on Rumble Strips
- Wisconsin Holds Line on Tax Hike

June 2016

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Application of this effective network-level safety planning tool
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The course presenters will include:

Doug Harwood, MRIGlobal, Kansas City, Missouri
Reginald Souleyrette, University of Kentucky, Lexington, Kentucky
Zachary Hans, Iowa State University, Ames, Iowa

The Roadway Safety Foundation, in cooperation with the Federal Highway Administration (FHWA) and the Utah Department of Transportation (UDOT), will be hosting a FREE, introducing the latest developments in US Road Assessment Program (usRAP) and the new ViDA software for preparing safer roads investment plans for road and street networks.

The usRAP ViDA software provides an innovative and cost-effective tool for safety investment planning that can be applied to any road network. Unlike traditional safety analysis tools that require extensive multiyear crash data, usRAP uses roadway feature data and crash prediction models to generate safety investment plans to guide project programming and investment priorities. usRAP has been recognized in the FHWA Every Day Counts (EDC3) program as a useful data-driven approach to identify potential projects for the Highway Safety Improvement Program (HSIP).

The ViDA software uniquely serves as the only available tool for identifying potential infrastructure improvements to reduce crashes, based on roadway features and traffic volumes, without the need for extensive multi-year crash data. ViDA analyzes both rural and urban road improvement needs by applying crash prediction models. The output of a ViDA analysis is a safer roads investment plan that identifies specific locations for safety improvements and specific countermeasures for application at those locations. The countermeasures considered for improvement projects include roadway, intersection, roadside, pedestrian, and bicycle facilities.

usRAP safer roads investment plans have been developed for the road networks of 3 state DOTs, 23 counties, and 2 other highway agencies. The ViDA software is an updated version of the previous usRAP Tools software. The training will be useful both to potential new users and as an update to anyone familiar with the previous usRAP Tools software. The ViDA software is a web-based application and is available for use at no charge by highway agencies and their consultants.

As part of the training course, Utah Department of Transportation staff will speak on their experience in applying the ViDA

software to develop safer roads investment plans for their state highway network.

Travel expenses are the responsibility of the participants or their agencies. Hotel rooms at government rates within walking distance of the training venue will be available. The training venue is in downtown Salt Lake City and is accessible by TRAX light rail from the airport.

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Current Issue

News Archives

2016 June

- President's Report
- Bills Block WOTUS Rule
- Center for Rural Road Safety Finds Success
- Environmental Impact on PW Projects
- Free Webinar on LRSPs
- Free Training for Local Agencies
- Overtime Rule Impacts Counties
- Supreme Court Rules Against Corps
- Public Works Caucus Formed
- Communicating with Elected Officials
- Don Thiessen Receives Service Award
- Sec. Foxx Sees Tsunami of Change
- Going Non-Stop in Minn.
- House Forms Public Works Caucus
- Lessons Learned on Rumble Strips
- Wisconsin Holds Line on Tax Hike

June 2016

NACo Releases Overtime Rule Analysis For Counties



On June 23, Jerrie Tipton, Chair of the Mineral County, Nev., Board of Commissioners, testified on behalf of the National Association of Counties (NACo) before the US House Committee on Small Business on the Department of Labor's new overtime rule and the potential impact on county governments.

The rule, which doubles the salary threshold under which white collar employees are eligible for overtime pay to \$47,476, will impact many counties' ability to budget and provide services to residents and local communities.

"For Mineral County, the new rule would make 13 to 17 of our 102 full-time county employees eligible for overtime pay — an additional cost of up to \$45,000 a year," Tipton said. "This might not seem like a lot, but it poses quite a financial challenge since counties are limited in our ability to generate local revenue."

Tipton also emphasized that counties are major public sector employers whose workforce provides essential services to more than 300 million residents and should be partners with the federal government in creating labor policy that makes sense.

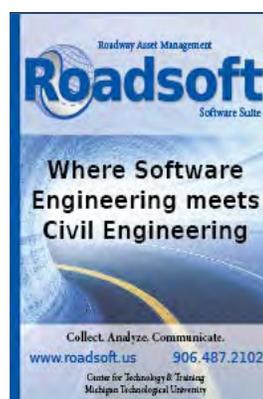
Unfortunately, the new overtime rule does not adequately address the substantial variations in local labor markets in counties across the country, she said, and will have broad consequences for counties and taxpayers, both direct and indirect, beyond those we expect in human resource and workforce management.

NACo has developed a new report, [Analysis of the Impact of the U.S. Department of Labor's Overtime Rule on Counties](#), to help county officials better understand the new overtime rule and prepare for potential impacts their counties may face.

Highlights Include ...

- Overtime rule's impact on county governments
- Background on the Fair Labor Standards Act (FLSA)
- Explanation of key components of the overtime rule including the new salary threshold and automatic updates
- Options for state and local government compliance
- Potential impact on rural and small counties

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Current Issue

News Archives

2016 June

- President's Report
- Bills Block WOTUS Rule
- Center for Rural Road Safety Finds Success
- Environmental Impact on PW Projects
- Free Webinar on LRSPs
- Free Training for Local Agencies
- Overtime Rule Impacts Counties
- Supreme Court Rules Against Corps
- Public Works Caucus Formed
- Communicating with Elected Officials
- Don Thiessen Receives Service Award
- Sec. Foxx Sees Tsunami of Change
- Going Non-Stop in Minn.
- House Forms Public Works Caucus
- Lessons Learned on Rumble Strips
- Wisconsin Holds Line on Tax Hike

June 2016

Small Victory for Counties as Supreme Court Rules Against Army Corps in Water Case

By NACo's Austin Igleheart, Julie Ufner, Mike Belarmino



On May 31, the US Supreme Court ruled unanimously in *United States Army Corp of Engineers v. Hawkes* that an approved jurisdictional determination (JD) stating that a property contains “waters of the United States (WOTUS)” amounts to final agency action and may be immediately reviewed in court.

The State and Local Legal Center (SLLC), of which NACo is a member, filed an amicus brief arguing in support of this result, which allows counties and other property owners to challenge an unfavorable JD before having to go through a costly permitting process in order to proceed with a project. The amicus brief was also filed on behalf of the Council of State Governments (CSG), National League of Cities (NLG), United States Conference of Mayors (USCM), International City/County Management Association (ICMA) and the International Municipal Lawyers Association (IMLA).

The Supreme Court ruled that, because a JD from the US Army Corps of Engineers (Corps) impacts the “rights and obligations” of property owners and local regulators and carries with it legal consequences, and because a JD marks the consummation of the Corps’ decision-making process as to whether a property contains WOTUS, it is considered a final agency action eligible for judicial review.

The SLLC’s amicus brief argued that states and local governments would be negatively affected as landowners and as partners with the business community if immediate judicial review of JDs were not possible. Under the CWA, property owners are required to obtain a permit from the Corps before discharging dredged or fill material into “waters of the United States” (WOTUS). Because it is not always easy to determine whether particular waters are WOTUS and subject to the CWA, the Corp offers JDs to property owners seeking clarification before starting the permitting process.

Without this ruling, counties that disagreed with a JD related to a particular project would only have two options: either the county would have to go through the 404 permit process or proceed with the project and risk facing civil penalties under the Clean Water Act (CWA). Both options would potentially increase project costs and hinder economic development and capital infrastructure planning.

In the *Hawkes* case, the *Hawkes* Company wanted to mine peat from its wetland property in Minnesota. The Corps issued a JD that the property contained WOTUS because its wetlands had a “significant nexus” to a river located about 120 miles away. As a result, the *Hawkes* Company would have had to obtain a costly and time-consuming permit to start mining unless the JD could be overturned by a court review. The *Hawkes* Company sought judicial review. The Corps had countered that judicial review was not available because a JD only amounted to advice to provide additional understanding of the application of the law rather than final agency action. The Court disagreed, noting in its decision that the Corps itself describes such determinations as a final agency action in their general regulatory policies (33 CFR 320.1).

NACo applauds the Court’s decision and will continue to monitor any other developments related to “waters of the United States.”

Reprinted from NACo County News, June 15 issue.

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Current Issue

News Archives

2016 June

- President's Report
- Bills Block WOTUS Rule
- Center for Rural Road Safety Finds Success
- Environmental Impact on PW Projects
- Free Webinar on LRSPs
- Free Training for Local Agencies
- Overtime Rule Impacts Counties
- Supreme Court Rules Against Corps
- Public Works Caucus Formed
- Communicating with Elected Officials
- Don Thiessen Receives Service Award
- Sec. Foxx Sees Tsunami of Change
- Going Non-Stop in Minn.
- House Forms Public Works Caucus
- Lessons Learned on Rumble Strips
- Wisconsin Holds Line on Tax Hike

June 2016

Reps. Costello and Titus Announce Public Works and Infrastructure Caucus



Media City G

US Representatives Ryan Costello (R-Penn.) and Dina Titus (D-Nev.) on June 2 announced the formation of the bipartisan House Public Works and Infrastructure Caucus.

Public works are important services and projects that communities across the country depend on, such as drinking water, flood control, recycling, waste removal, and our roads and bridges. This bipartisan caucus was established to raise awareness of the importance of these services because they are critical to every community's health and safety.

Congressman Costello, a member of the House Transportation & Infrastructure Committee, knows the value of public works services. As a former county and municipal official, Costello experienced firsthand the critical work of the public

works sector.

"Americans utilize different forms of public works, including recycling, drinking water, roads, and sidewalks in their daily routines, so we must ensure these services are reliable," said Congressman Ryan Costello. "I am committed to prioritizing public works to keep our communities safe and healthy, and the efforts of this bipartisan caucus will focus on advancing the important goals of these services."

Congresswoman Titus, a member of the House Transportation & Infrastructure Committee, has been a leader on public works issues for decades at the state and national levels.

"The nation's economy, health, and future are put in harm's way when we don't prioritize our infrastructure projects," said Congresswoman Dina Titus. "We must be active in securing the funding to advance a bipartisan, 21st-Century agenda that will prepare our communities for new growth and keep our workforce strong. This bipartisan caucus is committed to ensuring our roadways, runways, and waterways are safe, secure and ready for the future."

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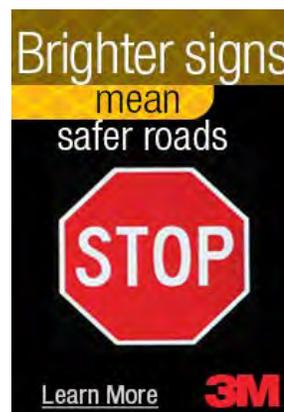
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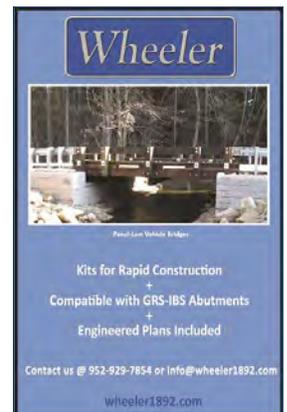
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Current Issue

News Archives

2016 June

- President's Report
- Bills Block WOTUS Rule
- Center for Rural Road Safety Finds Success
- Environmental Impact on PW Projects
- Free Webinar on LRSPs
- Free Training for Local Agencies
- Overtime Rule Impacts Counties
- Supreme Court Rules Against Corps
- Public Works Caucus Formed
- Communicating with Elected Officials
- Don Thiessen Receives Service Award
- Sec. Foxx Sees Tsunami of Change
- Going Non-Stop in Minn.
- House Forms Public Works Caucus
- Lessons Learned on Rumble Strips
- Wisconsin Holds Line on Tax Hike

June 2016

Communicating About Road Safety with Elected Officials

By FHWA Office of Safety



Local elected officials play a major role in local road safety. They set goals, adopt policies, build coalitions, and approve the budgets for the roads you operate. These officials, however, typically face many demands for their time and many requests for funding. When you work with them, you need to make every minute count.

Communicate

Keep it Simple

Provide the facts in clear, concise language. Use terms that lay people will understand. Avoid acronyms and engineering jargon— for example, use

“federal sign regulations,” not “MUTCD.”

Tell a Story

Supplement facts and figures with stories of actual crashes. Explain how your plans may reduce these crashes.

Highlight Successful Examples

Share success stories from similar communities to show what has been proven to work. Use statistics about effective countermeasures.

Use Creative Presentation Tools

Utilize visual aids: photos of a problem site or feature; plans, graphics, or other images of your proposed solutions.

Consider props: Washington County, Minn., for example, created a roundabout “rug” that people can walk on to understand roundabout navigation.

Network

Build and maintain relationships with other safety stakeholders, such as: Elected officials’ staff, Your state’s department of transportation practitioners, Law enforcement, and Public health officials.

These stakeholders can help you gather safety information and reinforce support for safety initiatives when you communicate with your elected officials.

Know the Facts

Have the facts at hand about road safety in your community. You are the roadway expert, and the elected official looks to you for guidance:

- Know the problem locations, crash data, causes, and citizen concerns.
- Know State and Federal funding options and relevant safety policies.
- Know potential safety strategies and countermeasures to address issues.

Inform and Educate

Inform and educate your elected officials:

Present your data, proposed solutions, and costs.
Scale your proposed solutions to a level your officials are able to address.
Educate listeners about proven, effective, low-cost solutions.
Anticipate opposing views, and prepare responses to address them.
Prepare a one-page summary of your main points.

Involve Officials in Safety

Provide regular updates on safety issues and projects. Include your local elected officials in road safety events to keep them involved and focused on safety:

Invite your local elected officials and their staff to open houses and road safety events, and include them in the event planning. Offer public acknowledgment of their support, such as a speaking role at a ribbon-cutting ceremony and safety meetings. Working together, you and your elected officials can reduce crashes and save lives.

"We work to continually get the message out to our local elected officials that we're working day-in and day-out toward addressing the traffic-safety-related concerns of Mohave County residents."

– Steve Latoski, Public Works Director, Mohave County, Arizona

"You don't need tons of technical jargon to talk about things that are really common sense."

– Joe Marek, County Engineer, Clackamas County, Oregon

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Current Issue

News Archives

2016 June

- President's Report
- Bills Block WOTUS Rule
- Center for Rural Road Safety Finds Success
- Environmental Impact on PW Projects
- Free Webinar on LRSPs
- Free Training for Local Agencies
- Overtime Rule Impacts Counties
- Supreme Court Rules Against Corps
- Public Works Caucus Formed
- Communicating with Elected Officials
- Don Thiessen Receives Service Award
- Sec. Foxx Sees Tsunami of Change
- Going Non-Stop in Minn.
- House Forms Public Works Caucus
- Lessons Learned on Rumble Strips
- Wisconsin Holds Line on Tax Hike

June 2016

Don Theisen Receives Ray L. Lappegaard Distinguished Service Award



Laurie McGinnis, Don Theisen, and Ann Johnson

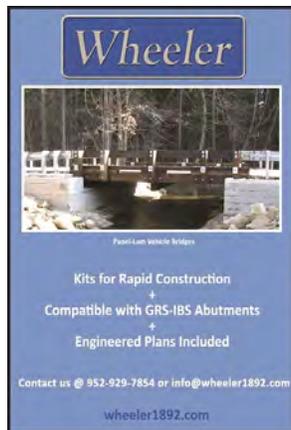
Don Theisen, Washington County, Minn., Public Works Director, is the 2016 recipient of the Ray L. Lappegaard Distinguished Service Award.

Don leads transportation, transit, parks, facilities, county survey, and land management functions for the county. Over his nearly 30-year career, Theisen has overseen the delivery of capital improvements totalling more than \$600 million.

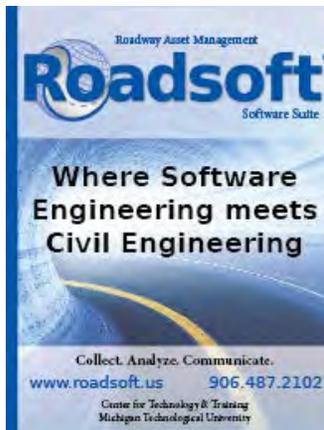
Each year the Ray L. Lappegaard Distinguished Service Award is presented to a transportation professional who displays outstanding leadership, mentorship and support to the profession.

The award is named in honor of Ray L. Lappegaard, chair of the CTS Executive Committee from its creation in 1989 until his death in April 1993. Lappegaard held numerous high-level positions in state government and the private sector, and was a mentor to many in the transportation field.

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Current Issue

News Archives

2016 June

- President's Report
- Bills Block WOTUS Rule
- Center for Rural Road Safety Finds Success
- Environmental Impact on PW Projects
- Free Webinar on LRSPs
- Free Training for Local Agencies
- Overtime Rule Impacts Counties
- Supreme Court Rules Against Corps
- Public Works Caucus Formed
- Communicating with Elected Officials
- Don Thiessen Receives Service Award
- Sec. Foxx Sees Tsunami of Change
- Going Non-Stop in Minn.
- House Forms Public Works Caucus
- Lessons Learned on Rumble Strips
- Wisconsin Holds Line on Tax Hike

June 2016

Foxx Sees Tsunami of Change Coming to Transportation

By David Elfin, Transport Topics



US Secretary of Transportation Anthony Foxx sees “a tsunami of change” coming in transportation over the next 30 years. That was the theme of his speech at Volpe, the National Transportation Systems Center on June 27 in Boston. “

Technology exists to solve a problem, but if we're unclear about what the problem is that we're trying to solve, we'll never solve it,” Foxx said during the speech that was broadcast online. “We're facing a tsunami of change in transportation. We're going to have 70 million more people over the next 30 years.

“There are changes where those people are coalescing. Many of them coalescing around our urban centers, and many of them are moving to the South and to the West, places that historically have been more dependent on the automobile.”

Foxx also sees changes ahead for the movement of freight. “Freight and the dynamics around freight are changing,” Foxx said. “The new Panama Canal opened over the weekend. That's going to create massive competition, particularly on the East Coast for ports to become favorite ports for post-Panamax vessels. That's a dynamic that's changing freight. [There's] a need to create taller bridges for double-stack containers and make sure that our surface system is as strong and robust as possible.”

Foxx said the autonomous vehicle space is still so much in its infancy that DOT's rules are more akin to the lofty ideals of the Declaration of Independence than the hard and fast rules of the Constitution.

“There are disruptions underway in the way things get to us and in the way we get places. Do you need a driver's license to operate an autonomous car? We just got a long-term transportation bill; it's a good time to figure out the answers.” Among the questions transportation planners need to address, Foxx said, are how many more lane miles to build in a time of increasing urbanization.

“We have more than 40,000 miles of interstate highways across the country,” he said. “That's a lot of real estate. The way we touch that land can create revitalization activity, but it can also go the other way. We need to think about how we design those projects, how they impact the areas they touch.”

Reprinted from Transport Topics, June 27 issue.

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Current Issue

News Archives

2016 June

- President's Report
- Bills Block WOTUS Rule
- Center for Rural Road Safety Finds Success
- Environmental Impact on PW Projects
- Free Webinar on LRSPs
- Free Training for Local Agencies
- Overtime Rule Impacts Counties
- Supreme Court Rules Against Corps
- Public Works Caucus Formed
- Communicating with Elected Officials
- Don Thiessen Receives Service Award
- Sec. Foxx Sees Tsunami of Change
- Going Non-Stop in Minn.
- House Forms Public Works Caucus
- Lessons Learned on Rumble Strips
- Wisconsin Holds Line on Tax Hike

June 2016

Going Non-Stop in Minnesota

By Rich Sanders, PE
Polk County, Minn.



So summer has arrived in Minnesota and now we know why we live here!

Highs between 75 and 85 and lows in the 50s. The 10,000 lakes are busy with fishing, swimming and water skiing. Construction Season is in full swing, so you can't go 60 miles without seeing orange signs. Still with all the construction going on, the Minnesota County Engineers were hoping that the Minnesota Legislature would have passed a Transportation and Bonding bill this past legislative session.

Last summer and fall, all the talk was on passing a bill that would infuse \$600 million more into the Highway Users Tax Distribution Fund. That would have meant another \$165 million to counties state wide and another \$2.5 million to my county per year, helping fix our deteriorating pavements.

Minn. is in the process of choosing a consultant to update our County Road Safety Plans. Over the next 5 years, all 87 counties will get updates done to the CRSPs that will include analyzing the reduction in Fatalities and Serious Injuries from all the HSIP Funds that have been spent on the local road system. They will also be analyzing our segments, intersections and curves to see if there are any new projects that could be done since our last CRSP. Stay tuned for the rest of the story.

The Minn. County Engineers Association (MCEA) held our Summer Conference on June 15-17. We had a lot of good speakers. Wednesday night we had our Minn. Night, where we invite our Friends of the Industry to attend. We had a silent auction for different items that benefitted our Scholarship Program. MCEA gives out over \$25,000 a year in scholarships to engineering students in the Minn. universities and surrounding states. We also give out 4 scholarships to engineering technician students.

Our special guest speaker that evening was Dave Meslow, 3M Sales Rep. for Minn. No, he didn't speak on paint, sign material, glass beads, or post-it notes, but on his life history from playing high school football to officiating high school, ACC Conference, and NFL Football. What a great storyteller!

Thursday morning Kevin Irving from AZZ Galvanizing presented, on behalf of the Short Span Steel Bridge Alliance. After learning about the benefits of galvanized materials in bridges, I expect to look into something here in Minnesota with our galvanized members.

Lastly, it's great to be back on the NACE Executive Board! The year off helped me realize how lucky I was to be able to work for the NACE Family. Thank you for having confidence in me to help pave the way for NACE's future successes. I look forward to humbly serving you over the next year.

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Current Issue

News Archives

2016 June

- President's Report
- Bills Block WOTUS Rule
- Center for Rural Road Safety Finds Success
- Environmental Impact on PW Projects
- Free Webinar on LRSPs
- Free Training for Local Agencies
- Overtime Rule Impacts Counties
- Supreme Court Rules Against Corps
- Public Works Caucus Formed
- Communicating with Elected Officials
- Don Thiessen Receives Service Award
- Sec. Foxx Sees Tsunami of Change
- Going Non-Stop in Minn.
- House Forms Public Works Caucus
- Lessons Learned on Rumble Strips
- Wisconsin Holds Line on Tax Hike

June 2016

Rumble Strip Virtual Peer Exchanges Glean Interesting Findings

By: **Cathy Satterfield, FHWA Office of Safety**

The FHWA Office of Safety hosted six virtual peer exchanges on the topic of rumble strips between October of 2015 and February of 2016. Each peer exchange included groups of 7-10 States (and Federal Lands Highway offices) and was intended to bring peers together through videoconference technology, enabling them to discuss implementation strategies for this life-saving countermeasure.

Participants included not only our traditional safety and design partners, but also:

Pavement and maintenance engineers to discuss the best practices for maintaining the integrity of our pavements and how to maintain the safety effectiveness of the rumble strips when they are overlaid.

Noise specialists, along with those who respond to citizen complaints about noise, to discuss techniques and practices that address the noise concerns of residents who live near rumble strip treatments.

Bicycle/pedestrian coordinators and other planners to provide insight into the specific needs of the wide array of non-motorized road users traveling on the Nation's roadways.



This photo depicts both center line as well as shoulder rumble strips. Bicycle gaps permit bicyclists using the shoulder to cross the rumble strip area without striking the milled pattern.

Not surprisingly, there is considerable variation in policies and standards from state to state, just as there is much variation in the geometry of roadways, topography, and the built environment across our Nation. Traffic mix also varies by location; for example, Colorado DOT has placed a bicycle traffic counter on the shoulder of one corridor on which bicycles are approximately 10% of the traffic volume. The agency is considering installing counters in additional locations notable for higher rates of bicycle traffic as well. Other user considerations discussed include trucks, oversized farm equipment, and Amish buggies.

A number of other interesting and important pieces of information and lessons have already been shared on a wide range of topics. For example, an attendee at the first peer exchange, Michigan Pavement Construction Engineer Curtis Bleech told colleagues he was initially very concerned when MDOT leadership decided to place rumble strips extensively on their system, but took advantage of the effort to strengthen the agency's longitudinal joint specification.

After 5,400 miles of center line rumble strips were placed on two-lane, high-speed highways over 3 years, a cursory review of the pavements determined that joint problems were only exacerbated when there was an existing problem at the joint. Further analysis of pavement sections with and without rumble strips suggest that rumble strips did not create adverse impacts on pavement performance in the short-term (see Michigan DOT, [Impact of Non-Freeway Rumble Strips Phase 1](#), RC-1575 (Lansing, MI: 2012, p.47).

In addition, MDOT has determined fatal and injury target crashes were reduced by 47 percent (see Michigan DOT, [Evaluation of Non-Freeway Rumble Strips Phase 2](#), RC-1627 (Lansing, MI: 2015).

Another issue that has come to light is that some agencies are fog sealing over the rumble strips, which requires an extra operation at extra cost and results in the need to wait longer to reapply pavement markings. No studies have been completed to clearly indicate whether this extends the life of the pavement, however, a few States have conducted informal reviews and discontinued the practice.

During the peer exchanges, attendees expressed a great deal of interest in the current research into sinusoidal rumble strips, which is underway in several States. Caltrans and MnDOT have done the most extensive work, and both think it shows great promise in reducing noise external to the vehicle while continuing to provide warning to the driver. Another topic of interest was determining how rumble strips of smaller dimensions or different designs (e.g., raised versions) may affect crash modification factors.

Several States are using design flexibilities to install modified designs to fit specific location conditions, with the general belief that they will provide crash reductions similar to those found with the larger, milled designs that have been studied. Participants also showed great interest in research to determine if there is a difference in safety benefits among the different designs.

Several State DOTs are now expanding the use of rumble strips to local roads to help reduce fatal and injury crashes. Mark Borst, Traffic Engineer from Kansas' Sedgwick County Public Works, showed some examples of both center and edge line rumble strip installations made under a Highway Safety Improvement Program (HSIP) project. New Jersey has also expanded its center line rumble strip implementation to cover much of the local system.

Several States promote the use of rumble strips on appropriate county roads based on crash data or on corridors with characteristics that tend to be overrepresented in run-off-road or cross-center-line crashes. The peer exchanges further revealed that additional flexibility in the design of rumble strips is often necessary to fit the specific location on local roads.

As part of the peer exchange, FHWA provided participants a file that compiled the policy/guidance and drawings of each of the participating states. Although it is only a snapshot, in time we hope to find a way to make these available to all interested practitioners. FHWA will be developing a final report regarding the peer exchanges that will be posted on our [Roadway Safety Capacity Building website](#).

For more information on technical assistance or peer-to-peer events related to rumble strips, contact Cathy Satterfield at Cathy.Satterfield@dot.gov.

Reprinted FHWA Safety Compass Newsletter, Spring 2016 issue.

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Current Issue

News Archives

2016 June

- President's Report
- Bills Block WOTUS Rule
- Center for Rural Road Safety Finds Success
- Environmental Impact on PW Projects
- Free Webinar on LRSPs
- Free Training for Local Agencies
- Overtime Rule Impacts Counties
- Supreme Court Rules Against Corps
- Public Works Caucus Formed
- Communicating with Elected Officials
- Don Thiessen Receives Service Award
- Sec. Foxx Sees Tsunami of Change
- Going Non-Stop in Minn.
- House Forms Public Works Caucus
- Lessons Learned on Rumble Strips
- Wisconsin Holds Line on Tax Hike

June 2016

Wisconsin Scott Walker Requests Full DOT Budget By September 15, Holds Line On Tax Hike

By Jessie Opoien, The Capital Times



Gov. Scott Walker reiterated his opposition to increasing Wisconsin's gas tax in a letter to Transportation Secretary Mark Gottlieb sent Monday.

"For decades, the state's gas tax has been among the highest in the nation," Walker wrote. "Raising the gas tax or vehicle registration fees without an equal or greater reduction in taxes elsewhere is not an option, and it would throw a wet blanket on our growing economy."

The governor instead instructed Gottlieb to look for design changes to construction projects that could be made to reduce spending.

The guidelines from Walker come as state agencies prepare to submit their 2017-19 budget requests, which are due Sept. 15. The Department of Transportation usually submits a partial budget by the September deadline, followed by a complete request

in November.

In his letter, Walker instructed Gottlieb to submit a complete budget by the Sept. 15 deadline "in order to allow for a full public discussion."

"Develop a budget request with specific priorities in mind. Identify efficiency savings within DOT, including the implementation of less costly design practices, and examine federal mandates that increase costs and other mechanisms that can save taxpayer dollars. Savings need to be given to local road aids and highway maintenance," Walker wrote. "Ensuring safety on our local roads and state highways is a priority for our administration. Therefore, your budget request must include an increase in local road aids and state highway maintenance."

Proposed spending on mega-projects in southeastern Wisconsin should be minimized, Walker wrote, with an emphasis on needs rather than wants. Large, necessary projects should have their plans reviewed to look for possible cost savings while maintaining safety, Walker wrote, adding that the state saved \$580 million on the Zoo Interchange project "through design changes alone."

"This is significant when you consider a one cent increase to the gas tax would provide roughly \$32 million annually," Walker wrote. Walker also told Gottlieb to hold new bonding to a "reasonable level."

In his 2015-17 budget, the governor proposed a record \$1.3 billion in bonding. Republican lawmakers agreed from the start that the governor's proposal was "unsustainable," but were held up for weeks debating how much to cut and how to distribute the reduction.

They ultimately agreed to approve \$500 million in bonding and an additional \$350 million to be allocated by the Joint Finance Committee in response to DOT work requests. Gottlieb told the Wisconsin State Journal earlier this month that his 2017-19 budget request won't seek any major tax or fee hikes. That will likely mean project delays and a shift in focus to maintenance rather than expansion.

The state's transportation fund faces an estimated \$600 million shortfall. Lawmakers have spent years looking for a long-term transportation funding solution, but continue to rely on short-term fixes while borrowing and delaying construction projects.

Assembly Speaker Robin Vos, R-Rochester, said earlier this month he disagrees "fundamentally" with the governor on transportation funding. On Wisconsin Public Television's "Here and Now" he said he thinks "all options should be on the table" for funding roads.

Assembly Majority Leader Jim Steineke, R-Kaukauna, echoed that point in a column, arguing that "while we strive to lower the

cost of state government as quickly as we can, we cannot allow that ideology to blind us to reality in cases where a lack of resources will cost taxpayers more in the end."

But other lawmakers, including Sen. Duesy Stroebel, R-Saukville, have said Wisconsin's roads aren't as bad as some reports would indicate. Stroebel suggested road builders push those "grades" because it's in their industry's best interest. Meanwhile, some Democrats, including Rep. Lisa Subeck, D-Madison, argue the state's Republican majority has had "ample opportunity" to solve the state's transportation woes.

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