

5.F.

Jurisdiction and Agency Coordinating Committee Northern Virginia Transportation Authority

MEMORANDUM

TO: Martin E. Nohe, Chairman
Northern Virginia Transportation Authority

Members
Northern Virginia Transportation Authority

FROM: Tom Biesiadny, Chairman
Jurisdiction and Agency Coordinating Committee
Northern Virginia Transportation Authority

SUBJECT: Endorsement of Testimony for the Commonwealth Transportation Board's
Regarding Changes to the FY 2010 to FY 2015 Six Year Program (Agenda Item
5.F.)

DATE: January 4, 2010

Recommendation:

The Jurisdiction and Agency Coordinating Committee recommends that the Authority endorse the attached testimony on the FY 2010 to FY 2015 Six Year Program that was previously circulated to the NVTA members for comment and submitted to the Commonwealth Transportation Board on NVTA's behalf.

Background:

During the Fall of 2009, the Commonwealth Transportation Board (CTB) revised the FY 2010 to FY 2015 Six Year Program that was adopted in June 2009. As a result of the significant decline in state and federal transportation revenues, the CTB was required to make a mid-year adjustment to the program to cut \$900 million in projects and services from the program. A revised program was released for public review following the CTB meeting on November 19, 2009. A public hearing was held on December 1, 2009, in Richmond, and written comments were accepted until December 11, 2009.

Since the CTB had not released draft FY 2010 to FY 2015 Six Year Program cuts prior to the November 12, 2009, NVTA meeting, the JACC members were not able to prepare proposed testimony for NVTA's consideration at that meeting. As a result, the NVTA authorized its Chairman to work with the JACC to prepare and finalize testimony on NVTA's behalf following circulation to the NVTA members for input. The attached letter reflects the input from individual NVTA members. It was submitted to the Chairman of the Commonwealth Transportation Board on December 10, 2009.

Chairman Martin E. Nohe
Members, Northern Virginia Transportation Authority
January 8, 2010
Page Two

The CTB subsequently adopted a revised FY 2010 to FY 2015 Six Year Program. The CTB was able to address some of NVTA comments, including making sure that previously funded transportation projects generally continued to progress as scheduled.

JACC members and I will be available at the January 14, 2010, NVTA meeting to answer questions.

Cc: Members, NVTA Jurisdiction and Agency Coordinating Committee



The Authority
for Transportation in Northern Virginia

The Northern Virginia Transportation Authority

December 10, 2009

The Honorable Pierce Homer
Secretary of Transportation
Commonwealth of Virginia
Patrick Henry Building, 3rd Floor
1111 East Broad Street
Richmond, Virginia 23219

Reference: Comments on Draft Revisions to the FY 2010 to FY 2015 Six Year Program

Dear Secretary Homer:

Thank you for the opportunity to comment on the draft revisions to the FY 2010 to FY 2015. As Chairman of the NVTVA, I am submitting the attached comments on behalf of the Authority. Clearly, the continued reductions in transportation funding in the Commonwealth are not sustainable. New transportation investments are necessary to ensure the economic viability of not only Northern Virginia, but the Commonwealth.

Until such investment is secured; hopefully, our attached comments will guide you and the Commonwealth Transportation Board in the difficult task of balancing scarce transportation dollars with very significant transportation needs.

If you have any questions or would like to discuss in more detail. Please call me at (703) 792-4620.

Sincerely,

Martin E. Nohe
Chairman

Cc: Members, Northern Virginia Transportation Authority
J. Douglas Koelemay, Northern Virginia District Member, Commonwealth Transportation Board

Northern Virginia Transportation Authority
Comments on Revised
FY 2010 to FY 2015 Six Year Program
December 10, 2009

NVTA's comments on the Revised FY 2010 to FY 2015 are as follows:

- We appreciate the Kaine Administration, VDOT and the CTB working with NVTA to allocate the regional American Recovery and Reinvestment Act (ARRA) funding. Nearly all of the projects funded with this source are moving forward. Without this federal funding, it would not be possible for these projects to proceed at this time.
- We appreciate that the CTB retained NVTA's historical role in the decision process for regional surface transportation program (RSTP) funds, allowing NVTA to prioritize funding for the critical transportation needs of our region.
- Given the serious transportation problems in our region, we emphasize that construction projects that were previously funded must be implemented as originally scheduled.
- While we understand the difficult position that the CTB is facing due to the lack of revenue, we are deeply concerned about the total elimination of secondary and urban construction funding. Not only will this mean that no new significant capacity improvements (widening and interchanges) will be initiated unless locally funded, but simple, cost effective projects like signaling new intersections, adding turn lanes and implementing pedestrian improvements will also be eliminated. Effectively secondary and urban road improvements are at a stand still. This is unsustainable for urban areas like Northern Virginia. If not addressed, this situation will seriously impact our economy and also compromise the movement of people and goods to and from Northern Virginia and other parts of the Commonwealth.

It is also worth noting that the term "secondary road" includes such major arteries as Braddock Road in Fairfax County and the Prince William County Parkway. These arteries function like primary roads.

- On the transit side, this is the second year in a row that the CTB has reduced funding in current year contracts. Since local government budgets and tax rates have already been set for FY 2010, reducing the state assistance contracts may result in mid-year service cuts and fare increases. At a time when transit usage has increased, and the region is relying on transit to reduce congestion, making such cuts is counter-productive.

In the future, we urge DRPT and the CTB to use conservative funding estimates or identify a way to cover mid-year shortfalls, so that mid-year reductions will not be necessary.

- With the declining revenues, we are disappointed to see that VDOT is quickly becoming a maintenance-only agency. As a result, the infrastructure necessary to serve our residents and businesses into the future is falling dramatically behind to the detriment of our economy and our quality of life.

- NVTA is hopeful that new revenue sources for transportation will be implemented, consistent with NVTA's Eight Principles for Transportation Funding adopted in April 2008, attached. These principles are still valid, including the need for stable, reliable, on-going regional and statewide transportation funds. As cuts to the Six Year Program illustrate, the Commonwealth cannot afford to wait for Congress to act on a new transportation authorization bill. The current ARRA funds are the only new federal monies, and they are temporary. New State revenues are needed, as soon as possible. Failure to build infrastructure now will only cause the costs to the public to increase much more in the future.

- In addition to addressing the foregoing major issues, NVTA requests that:
 - the CTB treat transit operating expenses like VDOT maintenance expenses and make these expenses a higher priority than new capital projects;
 - funding for VRE's track leases continue to be provided from federal funds;
 - environmental reviews for locally administered projects be simplified and shortened;
 - VDOT, DRPT and the CTB address Northern Virginia's concerns with the I-95/395 High Occupancy Toll project (documented in multiple correspondence from NVTA, the Northern Virginia Transportation Commission, the Potomac and Rappahannock Transportation Commission and the local jurisdictions) as the project moves forward to a comprehensive agreement and financial close.
 - the CTB expedite the transfer of the Columbia Pike right-of-way within Arlington to local control at its earliest possibility, so Arlington and Fairfax Counties can move forward with plans for multi-modal plan improvements and installation of the streetcar system.
 - the CTB consider retaining revenue sharing program, since it is a cost effective way for VDOT and the local jurisdictions to implement projects.

THE EIGHT PRINCIPLES

The Northern Virginia Transportation Authority (NVTA) appreciates the significant efforts made by the Governor and the General Assembly in their 2007 provision of a dedicated funding source for Northern Virginia (HB 3202). Unfortunately, on February 29, 2008, the Virginia Supreme Court ruled that the General Assembly did not have a constitutional basis for delegating taxing authority to the NVTA. As a result, Northern Virginia is unable to address its worsening congestion. The implications for the region's and the state's economies is potentially disastrous. In addressing this challenge, the NVTA will use the following principles to guide it in assessing proposed solutions:

1. Transportation is fundamentally a state responsibility; therefore, enactment of new Northern Virginia transportation revenue sources must include a substantial state financial commitment. Any regional/local funding effort should include a broad array of options for choosing among a number of revenue sources;
2. NVTA is comfortable with the seven taxes and fees previously approved for Northern Virginia; however, NVTA is willing to consider alternatives. Any changes in the regional funding packages for Northern Virginia and Hampton Roads should be coordinated with both regions;
3. Northern Virginia's adopted *TransAction 2030* long-range transportation plan requires approximately \$700 million annually in new funding to achieve the 2030 goals. Therefore, exclusive Northern Virginia revenues in the range of \$300 million annually, as well as Northern Virginia's portion of additional statewide revenues, are needed.
4. Any legislation must provide significant increases in transportation funding for all modes from a stable, reliable, and permanent source (s).
5. NVTA appreciates the importance of "buy-in" from all jurisdictions – large and small – to achieve regionally agreed goals. With that in mind, any Northern Virginia transportation revenue package should include both a regional and a local component to allow local jurisdictions to achieve transportation improvements of their choosing (many of which will contribute to overall regional goals).
6. If a statewide package is also enacted, Northern Virginia should receive at least the share that it receives under existing formulas.
7. Continue to match federal interstate and primary road earmarks with state funds, not shift this responsibility to Northern Virginia regional funds.
8. Provide an on-going revenue stream of capital funding for the Washington Metropolitan Area Transit Authority (WMATA) with no sunset, and no federal match requirement. This will provide flexibility beyond matching federal funds, and will ensure that WMATA's on-going capital needs will be funded.

The NVTA stands ready to assist with the development of a meaningful, responsive transportation funding package that will aggressively move the region forward in implementing its transportation plan.